

Decision of the Court

QUADIANIS
ARE NOT
MUSLIMS

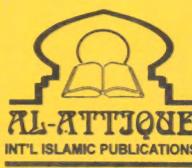
القاديانية

فعة كافرة

Audited By: Mohammad Bashir M.A.



Publishers & Distributors
DAR AL-HADYAN
Riyadh, Saudi Arabia



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فہ کافرہ

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CONTENTS

	Page
Publisher's Note	...
<i>Prohibition and punishment of Anti-Islamic activities of Quadianis by Ordinance XX of 1984</i>	v 2
Who are Quadianis?	...
<i>Quadianis challenge the Ordinance</i>	2 3
Provisions of the Ordinance	...
<i>Islamic concept of the finality of prophethood</i>	4 8
<i>Finality of prophethood of Mohammad (P.B.H) is absolute</i>	25
<i>All claimants of prophethood after Mohammad (P.B.H) would be false prophets</i>	26
<i>Some objections on the finality of prophethood</i>	27
<i>History and evolution of the claims of Mirza Sahib</i>	29
<i>Claim to be appointed by God</i>	41
<i>Prophecy about Atham</i>	42
<i>Prophecy about Molvi Sanaullah Amritsari</i>	45
<i>Prophecy about the birth of a blessed son</i>	46
<i>Prophecy about his new marriages</i>	48
<i>Prophecy about the marriage of Mohammadi Begum</i>	49
<i>Prophecy about the British rule</i>	53

Prophecy about the progress of his followers and annihilation of his opponents	...	53
Claim to be the promised Messiah and Mehdi	...	55
Claim to prophethood	...	70
Claim to be the best and the last of the prophets	...	76
Allama Iqbal's opinion	...	82
Jesus's birth and miracles in the Holy Quran	...	85
Denial and ridicule of Jesus's miracles	...	91
Contemptuous remarks about Jesus	...	92
Difference between Lahori Group and Quadiani Group	...	94
Verdict of heresy against Mirza Sahib	...	96
Islamic view regarding a claimant of prophethood and his followers	...	97
What is Muslim Ummah?	...	103
Conditions requisite for faith in Islam	...	107
Belief in finality of prophethood of Mohammad (PBUH) is primary condition for faith in Islam	...	111
Finality of prophethood is the most important element in the integration of the Muslim Ummah	...	111
Quadianis are not a part of Muslim Ummah	...	112
Loyalty of Mirza Sahib for the British Imperialism	...	116
Abolition of Jihad	...	118
Praise and sycophancy of the British government	...	121

Federal Shariat Court is competent to decide the question	... 123
There is no compulsion in matter of religion	... 129
The Ordinance does not effect the rights of Quadianis	... 135
Quadianis are not muslims	... 135
Protection of the rights of non - Muslims in an Islamic State	... 136
The effect of the Constitutional amendment of 1974	... 145
Promulgation of the Ordinance as a result of Quadianis's unconstitutional conduct	... 146
Law and order situation was created by Quadianis propagation	... 147
Five earthquakes	... 148
Ban to use Ummahatul Momineen for Quadianis	... 150
Ban to use Ahle - Bait for Quadianis	... 151
Ban to use Razyallah Anho for Quadianis	... 152
Ban to use Sahaba for Quadianis	... 156
Ban to use Khalifatul - Muslimeen etc. for Quadianis	... 157
Ban on Azan	... 158
Azan is a Shaaar of Islam	... 160

Non - Muslims can't be allowed to adopt Islamic Shaair	... 16
Ban to use the word of Masjid	... 169
The right to propagate other religions in an Islamic state can't be unlimited	... 173
Non - Muslims are not entitled to propagate and preach their religions among Muslims	... 178
Provisions of the Ordinance do not fall within purview of UNO Declaration of Human Rights	... 178
Ordinance is covered by the exception in Article 20	... 181
Supreme Court of Pakistan confirms this Judgement.	185
All Muslims unanimously declare Quadianis "NON-MUSLIMS"	189

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ

PUBLISHER'S NOTE

With the kind permission of the Federal Shariat Court Islamabad, Pakistan, we have published the complete text of the Court's judgment on the Shariat Petition No. 17/I of 1984 and Shariat Petition No. 2/L of 1984 regarding the Lahori Group and Quadiani Group of Quadianis. For the guidance of the readers, we have added headings of the points discussed by the august Court. As these headings are not a part of the judgment, therefore, these have been written aside from the original text, in the margin of the book, thus avoiding any interference or interruption in the judgment.

Mohammad Bashir, M.A.

Manager
Dar-ul-IIm, Islamabad, Pakistan

November 25, 1987

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

IN THE FEDERAL SHARIAT COURT
(Original Jurisdiction).

Mr. Justice Fakhre Alam **Chief Justice**
Mr. Justice Ch. Muhammad Siddique
Mr. Justice Maulana Malik Ghulam Ali
Mr. Justice Maulana Abdul-Quddus Qasmi

Shariat Petition No. 17/I of 1984

Mujibur Rehman & three others. ... Petitioners

Versus

Federal Government of . . . **Respondent**
Pakistan through Attorney
General of Pakistan

Shariat Petition No. 2/L of 1984

Capt. (Retd) Abdul-Wajid . . . Petitioners
and another.

Versus

**Attorney General of
Islamic Republic of
Pakistan.** ... **Respondent**

For the Petitioners ... Mr. Mujibur - Rehman,
(in S.P.No. 17/I of 1984) Advocate (one of the
Petitioners)

For the Petitioners (in S.P. No. 2/L of 1984)	...	Capt. (Retd) Abdul-Wajid (one of the Petitioners)
For the Respondent	...	Haji Shaikh Ghias Muhammad, Advocate,
		Mr. M.B. Zaman, Advocate and
		Dr. Syed Riazul-Hasan Gillani, Advocate.
Dates of hearing at Lahore.	...	15.7.1984, 16.7.1984, 17.7.1984, 18.7.1984, 19.7.1984, 22.7.1984, 23.7.1984, 24.7.1984, 25.7.1984, 26.7.1984, 29.7.1984, 30.7.1984, 31.7.1984, 01.8.1984, 02.8.1984, 05.8.1984, 06.8.1984, 07.8.1984, 09.8.1984, 11.8.1984, 12.8.1984.
Date of decision	...	<u>12.8.1984</u>

JUDGMENT :

FAKHRE ALAM, C.J. Ordinance No.XX of 1984 called the Anti Islamic Activities of Quadiani Group, Lahori Group and Ahmadis (Prohibition and Punishment) Ordinance, 1984, was promulgated in the Gazette of Pakistan (Extraordinary) Issue, dated the 26th April, 1984. The Ordinance amended certain provisions of the Pakistan Penal Code (Act XLV of 1860). The Code of Criminal Procedure, 1898 (Act V of 1898) and the Press and Publications Ordinance, 1963.

Ahmadis.

3. One group which is generally known as Quadiani group believes that Mirza Sahib was the promised Mehdi, the promised Messiah and a Prophet. The Lahori group says that he was a Mujaddid (revivalist), the Promised Mehdi and the promised Messiah.

4. Two Petitions one by some members of the Quadiani group and another by two members of Lahori group bearing Nos. 17/I of 1984 and 2/L of 1984 were filed to challenge the Vires of the Ordinance viz-a-viz the Quran and the Sunnah of the Holy Prophet (P.B.H.).

5. The matter was heard in detail for more than four weeks. Mr. Mujibur-Rehman, one of the Petitioners in Shariat Petition No. 17/I of 1984 and Capt. (Retd) Abdul-Wajid, one of the Petitioners in Shariat Petition No. 2/L of 1984, argued the case on behalf of the Petitioners. Shaikh Ghias Muhammad, Advocate and Dr. Riazul-Hasan Gillani argued the matter on behalf of the Government. The following Juris-Consults and Ulema belonging to the different schools of thought were invited by the Court for rendering assistance to it on the issues involved in the matter and argued the matter in detail :—

- (1) Qazi Mujibur-Rehman
- (2) Prof. Mahmud Ahmad Ghazi
- (3) Maulana Sadar-ud-Din Al-Rifai
- (4) Allama Tajuddin Haideri
- (5) Prof. Muhammad Ashraf
- (6) Allama Mirza Muhammad Yousuf
- (7) Prof. Maulana Tahir-ul-Qadri.

6. The Constitution of 1973 was amended by the Constitution (Second Amendment) Act, 1974 (Act XLIX of 1974) to amend Article 106 and Article 260 thereof. Clause (3) was added to Article 260 to declare those persons as non-Muslims who do not believe in the "absolute and un-qualified finality of Prophet or claims to be a Prophet in any sense of the word or of any description whatsoever, after Muhammad (P.B.H) or recognises such a

claimant as a Prophet or a Religious Reformer". The Quadianis of the two groups are *inter alia* covered by this definition and they were thus declared non-Muslims.

7. Article 106 dealt with the constitution of Provincial Assemblies which specified the number of Members to be elected for the Assemblies, their qualifications and also the additional seats in those Assemblies reserved for non-Muslims i.e. Christian, Hindu, Sikh, Budhist and Parsi communities. To these communities were added by the second Constitutional Amendment of 1974 "persons of the Quadiani Group or the Lahori Group (who call themselves Ahmadis)".

8. Thus effect of Article 106 was given by declaration made in Sub-Article 3 of Article 260 and Ahmadis of either persuasion were placed in juxtaposition with other minorities.

9. Despite these provisions of the Constitution, the Ahmadis persisted in calling themselves Muslims and their faith as Islam. They remained impetuously apathetic and insensitive to the perturbation of the Muslims of Pakistan. However, their violation of the above Constitutional provisions and of continuing to defile the epithets, descriptions and titles like Ummul-Momineen (Mother of the Muslims), Ahle-Bait (Members of the family of the Holy Prophet - (P.B.H) Sahaaba (Companions) Khulafa-e-Rashideen (the rightful Caliphs) Ameerul-Momineen, Khalifat-ul-Momineen, Khalifat-ul-Muslimeen (epithets used generally for the Muslim Rulers and for the rightful Caliphs) which are exclusive for the Muslims and had never been used by the non-Muslims, for the wife, members of the family, companions and successors respectively of Mirza Sahib. For this reason use of derogatory remarks in respect of the Holy personages was made a criminal offence punishable under Section 298-A of the Pakistan Penal Code (Act XLV of 1860) (recently added by Ordinance No. XLIV of 1980). The Section is as follows :—

“ 298—A

sonages. Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of any wife (Ummul Mumineen), or members of the family (Ahlebait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulafa-e-Rashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be punished with imprisonment of either description for a term which may extend for three years, or with fine, or with both".

10. This Section was couched in general terms and was not made applicable to Ahmadis only. On account of the agitation of the Muslims over the persistence of the Ahmadis, the impugned Ordinance was promulgated. It added Section 298-B and 298-C to the Pakistan Penal Code (Act XLV of 1860) and made consequential amendments in the Code of Criminal Procedure, 1898 (Act V of 1898) and West Pakistan Press and Publications Ordinance, 1963. Sections 298-B and 298-C are as follows :—

298-B

"Misuse of epithets, descriptions and titles, etc. reserved for certain holy personages or places.

- (1) Any person of the Quadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name) who by words either spoken or written or by visible representation;
- (a) refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (peace be upon him), as 'Ameerul Mumineen', 'Khalifat-ul-Mumineen', 'Khalifat-ul-Muslimeen', 'Sahaabi' or 'Razi-Allah-Anho'.
- (b) refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him), as 'Umm-ul-Mumineen';

- (c) refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the Holy Prophet Muhammad (peace be upon him), as Ahle-bait; or
- (d) refers to, or names, or calls, his place of worship as 'Masjid',

shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

- (2) Any person of the Quadiani group or Lahori group (who call themselves 'Ahmadis' or by any other name) who by words, either spoken or written, or by visible representation, refers to the mode or form of call to prayers followed by his faith as 'Azan', or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine".

298-C

"Person of Quadiani group etc. calling himself a Muslim or preaching or propagating his faith.— Any person of the Quadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name), who, directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine".

- 11. These Sections made it a criminal offence for an Ahmadi.—
 - (a) to call or pose himself directly or indirectly as a Muslim or refer to his faith as Islam;

- (b) to preach or propagate his faith or to invite others to accept his faith or in any manner whatsoever to outrage the religious feelings of Muslims;
- (c) to call people to prayer by reciting Azan or to refer to his mode or form of call to prayer as Azan;
- (d) to refer or call his place of worship as Masjid;
- (e) to refer any person other than a Caliph or companion of the Holy Prophet Muhammad (P.B.H.) as Ameerul Mumineen, Khalifat-ul-Mumineen, Khalifat-ul-Muslimeen, Sahaabi or Razi-Allah-Anho, any person other than the wife of the Holy Prophet (P.B.H) as Ummul-Mumineen and any person other than a member of the family of the Holy Prophet (P.B.H) as Ahle-bait.”

12. The main ground on which these Petitions have been filed and which was argued from different angles is that the impugned Ordinance violates the Sharia and the Constitutional rights of the Ahmadis to profess, practise and preach or propagate their religion.

13. It is pertinent to note that despite the Constitutional provisions, the Petitioners in their arguments insisted upon calling themselves Muslims and calling their faith as Islam and submitted that the Constitutional Amendment was not a declaration of their being non-Muslims by a religious body but was the Act of the Ruling Party of that time. It was pointed out to the Petitioners that the Constitutional Amendment was unanimously passed by all parties and the Parliament had given this verdict almost in a judicial manner by hearing both sides including the head of the Ahmadiya community.

14. Mr. Mujibur Rehman stated that since the Court cannot decide against the Constitutional provisions he would not like to raise the question whether Qadianis are Muslims or non-Muslims. He, however, persisted in emphasising that the Qadianis as such are not non-Muslims but have been declared so by the Iqtidar-e-Aala.

15. He, then, clarified that if the Counsel for the Government argued that the Quadianis are non-Muslims according to Shariah too he would like to refute that argument in detail.

We enquired from Mr. Riazul-Hasan Gillani, counsel for the Federal Government whether he would like to proceed only on the assumption that Quadianis have been Constitutionally declared non-Muslims or would like to argue the point of their status independently in the light of the Shariah. He opted in favour of the latter proposition. On this Mr. Mujibur-Rehman submitted that he would like to argue and elaborate the question of status of the Quadianis in the light of the Injunctions of the Quran and the Sunnah.

The arguments of Mr. Mujibur-Rehman on the assumption of the Ahmadis being Muslims is an invitation to this Court to go into this question. The Court cannot thus avoid giving its finding on this point. The point was fully argued and shall be dealt with in the judgment.

The assertion in the written arguments filed at the end that the petitioners themselves did not wish to raise the question of their belief is thus only partly correct.

Before elaborating the points involved in this petition as well as the effects of different provisions of the impugned Ordinance, it would be pertinent to throw light on the Muslims concept of finality of the prophethood of Muhammad (P.B.H) which is the main theme of the difference between the Muslims and Ahmadis and which was the base of Constitution (second amendment) Act 1974 (Act XLIX of 1974) according to which the Ahmadis were declared non-Muslims.

The Muslims of all schools of thought believe in the absolute finality of the prophethood of Muhammad (P.B.H) and consider it an article of their faith. This unanimous belief is based on verse 33 : 40 of the Holy Quran. The said verse and its meaning, interpretations and explanations are reproduced as under :—

مَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِّنْ زَوْجَاتِهِ وَلَكِنَّ رَسُولَ اللَّهِ
وَخَاتَمَ النَّبِيِّنَ طَ وَكَانَ اللَّهُ بِكُلِّ شَيْءٍ عَلِيمًا ۝

Muhammad is not the father of any man among you but he is the Messenger of Allah and the seal of the Prophets and Allah is aware of all things.

(Q: 33 : 40)

The word Khatam-un-Nabiyyin has been the subject matter of interpretation from the very beginning. It was interpreted in the traditions of the Holy Prophet (P.B.H) as well as by the commentators of the Holy Quran, learned scholars and renowned jurists. It is established that this expression can be read as Khatim-un-Nabiyyin. The word Khatim means one who finishes or ends. There is no controversy on the point that if the word is Khatim-un-Nabiyyin it would mean one on whose Prophethood, the chain of Prophets terminates.

The word Khatam means seal and Khatam-un- Nabiyyin means seal to Prophets. The well established meaning on which there has been a consensus is that the expression seal to Prophethood means last of the Prophets who seals Prophethood and after whom no Prophet can come, and the cessation of advent of Prophets is absolute. This meaning was accepted by Mirza Sahib also (Izala-e-Auham, vol. 2, page 511). However, after his claim to Prophethood he altered the meaning of the expression and interpreted it as the seal of Prophet Muhammad (P.B.H) for continuing the Prophets whose advent is destined later which means that the advent of Prophets is not a matter past and closed but is subject

to the condition that after Prophet Muhammad (P.B.H.) who ever arrives as a Prophet must bear the seal of Prophet Muhammad (P.B.H.) which means that he is a Prophet sent to this world under his seal of approval for rejuvenating his Sharia as laid down in the Quran and the Sunnah.

This interpretation, as will be clear from the above is a departure from the interpretation regarding the absolute cessation of Prophethood on which there had been a consensus which is also reflected in the earlier writings of Mirza Sahib.

In the above mentioned verse the word 'Khatam' has been read in two manners i.e. with an 'a' after 't' or 'i' after the same letter. According to Ibne Amir and Assim it is read as 'Khatam' (with fatha 'ا' on the letter 't' ت). In that case it is a noun meaning 'the last'. As such the word 'Khatam-un-Nabiyyin' (خاتم النبیین) means the last of the Prophets. According to others it is read as 'Khatim' (خاتم) with an 'i' after 't' (kasra 'ي' under the letter 't' ت) which makes it a subject (خاتم) meaning 'He who finishes'. As such Khatim-un-Nabiyyin (خاتم النبیین) means he who terminates the (chain of) Prophets i.e. the Prophethood ceases with him (Maalimut Tanzil by Imam Baghwi, Vol. 4 page 218).

In Lisanul Arab, it is stated that Khatama (خاتمة) means to finish as it is said, " خَتَمَ اللَّهُ أَمْرَهُ بِالْخَيْرِ " (may Allah resolve (finish) his affairs beneficially). The end of everything is called Khatam (خاتم) and its plural is Khawatim (خواتِم) which means the ends.

Farra said that Khatam (خاتم) and Khatim (خاتم) are synonyms with the only difference that grammatically the first is a noun (اسم) and the second is an infinitive verbal noun. Khatam (خاتم) and Khatim (خاتم) are the names of the Holy Prophet (P.B.H.) as Allah says in verse 33 : 40 that he is Khatam-un-Nabiyyin (خاتم النبیین) which means the last of the Prophets.

Khatam (خاتم) also means to prevent. It usually means the protection of a thing from mixing with other things. Khatam

means seal too which means to prevent another thing from mixing with the sealed thing. Khatam also means the ring. (Lisanul Arab, Vol. 18, pages 53-55).

According to Al-Raghib Khatama (خَتَّم) and Tabaa (طَبَعَ) signify the impressing a thing with the engraving of the signet and stamp; and the former is tropically used, sometimes, as meaning the securing oneself from a thing, and protecting (oneself) from it, in consideration of protection by means of sealing upon writings and doors ; and sometimes as meaning the producing an impression, or effect, upon a thing from another thing ; in consideration of the impression produced (by the signet); and sometimes it is used as relating to reaching the end (of a thing) (see lane on Khatama (خَتَّم)).

‘ خَتَّمَ عَلَى قَلْبِهِ ’ (He sealed his heart) means he made him to be such that he understood not, and such that nothing proceeded from him ; or he made his heart, or mind to be such that it understood not (lane ‘Khatama’ (خَتَّم)).

‘ خَتَّمَ اللَّهُ عَلَى قُلُوبِهِ ’ (Allah sealed their hearts) and ‘ طَبَعَ اللَّهُ عَلَى قُلُوبِهِ ’ (Allah engraved their hearts) point to what God has made to be usually the case when a man has ended in believing what is false and in committing that which is forbidden, so that he turns not his face to the truth ; thus occasioning as its result, his becoming insured to the approval of acts of dis-obedience, so that he is as though his habit were impressed upon his heart. (see Al-Mufradat by Raghib Asphahani, page 143, see Lane on Khatama (خَتَّم)).

‘ خَاتَمُ النَّبِيِّينَ ’ means a Prophet on whose arrival the (chain of) prophethood came to an end. (Al-Mufradat by Raghib Asphahani, pages 142 - 143).

In Tajul-Urus it is stated صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمِنْ أَسْمَاهُ

الْخَاتَمُ وَالْخَاتُونُ وَهُوَ الَّذِي فَقَدَ النِّبَّةَ بِمَجِيئِهِ .

Among the names of the Holy Prophet (P.B.H.) are Khatam (خَاتَم) and Khatim (خَاتِم) which means that Prophethood was put

to an end with his advent. (Tajul Urs, Vol. 4, page 186 ; Also see Majmaul Bihar, Vol. 8, page 194).

Thus the dictionary meaning of the word **Khatam** (seal حَاتَمْ) or **Khatim** (one who put an end) حَاتِمْ is the same.

On this very basis, all the lexicographers and commentators have unanimously taken Khatam-un-Nabiyyin to mean Akhir-un-Nabiyyin (last of the Prophets). From the view point of Arabic usage and lexicon, Khatam does not imply the postal stamp which is put on the envelope for issue but implies to the seal put on the envelope so that it is secured, so that what is in it cannot come out nor anything can enter it unless the seal is broken.

The Quranic verse 33 : 40 has been similarly interpreted by all the renowned commentators, who also dealt with a moot question. There are some traditions about the second coming of Jesus near about resurrection. These traditions have been held by some to be weak being repugnant to the Holy Quran and the Sunnah but a large majority believes in their authenticity. In the view of the majority there is no repugnance between the Quran and these traditions since Jesus who was a Messenger of Allah and a Prophet had been commissioned as Prophet long before the advent of the Holy Prophet (P.B.H.) while the verse refers to the advent of the new Prophet after Muhammad (P.B.H.). But Jesus will appear in this world as a member of the Muslim Ummah and a follower of Islamic Sharia. These authoritative interpretations and opinions may now be cited.

(1) Allama Ibn-e-Jarir Tabari (224-310 A.H.) in his well-known commentary of the Quran, explained the meaning of this verse thus : "He brought the Prophethood to a close and sealed it : Now this door will not open for anyone till Resurrection". (Tafsir Ibn-e-Jarir, Vol. 22, page 12).

(2) Imam Tahavi (239-321 A.H.) writes in his 'Aqidah Salfia' regarding the beliefs of the righteous, especially of Imam Abu Hanifa, Imam Abu Yusuf and Imam Muhammad (may Allah show mercy to all of them) in respect of Prophet-

hood, "And that Muhammad (P.B.H.) is the chosen servant of Allah, His Prophet and favourite Apostle; and he is the last of the Prophets, the leader of the righteous, the chief of the Apostles, and beloved of the Lord of the worlds. (Sharh-ut-Tahaviah Fil-Aqidat-is-Salfia, Dar-ul-Maarif, Egypt, pages 15, 87, 96, 100, 102).

(3) Allama Ibn-e-Hazm Undlasi (384–456 A.H.) writes : "Most certainly the transmission of the revelation has ceased after the death of the Holy Prophet (P.B.H.), the reason being that the revelation comes down to none but a Prophet, and Allah Himself has said : Muhammad is not the father of any of your men, but he is the Messenger of Allah and the last of the Prophets. (Al-Muhalla, Vol. I, page 26).

(4) Imam Ghazzali (450–505 A.H.) says : There is complete consensus among the Muslim Ummah that there is no Prophet after the Holy Prophet Muhammad (P.B.H.) The whole Ummah is unanimous that the Holy Prophet (P.B.H.) by his words " لَا نَجُوتْ بَعْدِيْ " meant nothing but this that after him there will neither be a Prophet nor an Apostle. Anyone who interprets this tradition in any other way, goes outside the pale of Islam ; his interpretation would be nonsensical and his writing heretical. Besides, the Ummah is also unanimous that there is no scope whatever for any other interpretation than this ; the one who denies it, denies the consensus of the Ummah. (Al-Iqtisad-fil-I'tiqad, Egypt, page 114).

(5) Muhy-us-Sunnah Baghvi (d.516 A.H.) writes in his commentary Ma'alim-ut-Tanzil : "Allah closed the Prophethood through the Holy Prophet (P.B.H.); thus he is the last of the Prophets And Ibn-e-Abbas says that Allah Almighty decreed (in this verse) that after him there would be no Prophet". (Ma'alim-ut-Tanzil, Vol. 3, page 158).

(6) Allama Zamakhshari (467–538 A.H.) writes in his commentary Al-Kashshaf "If you ask: How can the Holy Prophet

(P.B.H.) be the last of the Prophets when there is the belief that Prophet Jesus will come down during the last days before Resurrection? I shall say : The Holy Prophet (P.B.H.) is the last of Prophets in the sense that no other person will be raised as a Prophet after him. As for Prophet Jesus, he is one of those who had been commissioned as Prophet before the advent of the Holy Prophet (P.B.H.). And when he comes again, he will come as a follower of the Sharia of Muhammad (P.B.H) and will offer the prayer with his face towards his Qiblah (the Ka'bah) like any other member of his Ummah". (Al-Kashshaf, Vol. 2, page 215).

(7) Qazi Ayaz (d. 544 A.H.) writes : "He who lays a claim to Prophethood for himself, or holds that one can acquire it and can attain the rank of Prophethood through the purification of the heart, as some philosophers and so-called sufis assert, and likewise he who does not claim to be a Prophet but claims that he receives revelation. . . . all such people are disbelievers and deniers of the Holy Prophet (P.B.H.), for he informed us that he was the last of the Prophets and that no Prophet would come after him. And this news was a communication from Allah that he has closed the Prophethood and that he has been sent to all mankind; and the whole Ummah is unanimous that these words have no other but the apparent meaning. There is no room for a different interpretation or special meaning. Therefore, there can be absolutely no doubt about such people's being unbelievers (kafir) both according to the consensus and the traditions". (Shifa, Vol. 2, pages 270-271).

(8) Imam Razi (543-606 A.H.) explaining the verse of Khatam-un-Nabiyyin says in his Tafsir-e-Kabir: "In this context, the reason for saying Khatam-un-Nabiyyin is that if a Prophet be succeeded by another Prophet he leaves the mission of admonition and explanation of Injunctions somewhat incomplete and the one coming after him has to complete it. But the Prophet who is never to be succeeded by another Prophet is by far more compassionate to his people (Ummah) and provides for them explicit and com-

plete guidance, for he is like a father who knows that after him his son has no guardian and patron to look after him". (Tafsir-e-Kabir, Vol. 6, page 581).

(9) Allama Shehrastani (d.548 A.H.) writes in his book Al-Milal-wan-Nihal : "And likewise the one who says :.... that another Prophet (except for the Prophet Jesus) will be raised after the Holy Prophet Muhammad (P.B.H.) is a Kafir and there is no difference of opinion about this even between two men". (Al-Milal-wan-Nihal, Vol. 3, page 249).

(10) Allama Baidawi (d. 685 A.H.) writes in his commentary Anwar-ut-Tanzil : "the Holy Prophet (P.B.H.) is the last of the Prophets, who closed their line, or through whom the line of the Prophets was sealed. And the Prophet Jesus's second advent does not contradict the Holy Prophet's (P.B.H.) being the last Prophet, for when he comes, he will be a follower of his Sharia". (Anwar-ut-Tanzil, Vol. 4, page 164).

(11) Allama Hafiz-ud-Din Nasafi (d. 710 A.H.) writes in his commentary Madarik-ut-Tanzil "that the Holy Prophet (P.B.H.) is Khatam-un-Nabiyyin, i.e. the last of the Prophets: After him no other person will be appointed a Prophet.

As for the Prophet Jesus, he is one of those who had been appointed Prophets before him, and when he comes the second time, he will come as a follower of the Sharia of Muhammad (P.B.H.), and as a member of his Ummah". (Madarik-ut-Tanzil, Vol. 5, page 471).

(12) Allama Ala-ud-Din Baghdadi (d. 725 A.H.) writes in his commentary Khazin: "Wa Khatam-un-Nabiyyin, i.e. Allah closed the line of Prophethood on the Holy Prophet Muhammad (P.B.H.). Now there is neither any Prophethood after him nor any association or partnership with him in this . Allah has the knowledge that there is no Prophet after him". (Lubabut Tawil fi Maanit Tanzil, Vol. 5, pages 471-472).

(13) Allama Ibn-e-Kathir (d. 774 A.H.) writes in his well-

known commentary : "Thus, this verse is an express injunction in this regard that after the Holy Prophet there is no Prophet (نبی) and when there is no Prophet after him, there can be no Messenger (رسول) either, for Messengership is specific and Prophethood general : every Messenger is a Prophet but every Prophet is not a Messenger.

Anyone who lays a claim to this office after the Holy Prophet (P.B.H.) is a liar and imposter and deviator and unbeliever, no matter what supernatural and magical spells and charms and sorcery he practises. The same is the position of every such person who lays a claim to this office till Resurrection". (Tafsir-Ibn-e-Kathir, Vol. 3, pages 493-494).

(14) Allama Jalal-ud-Din Suyuti (d. 911 A.H.) writes in Jalalayn: "وَكَانَ اللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ" Allah has the knowledge of everything and knows that there is no Prophet after the Holy Prophet (P.B.H.); and when Prophet Jesus comes down he will be a follower of the Holy Prophet's (P.B.H.) Sharia. (Jalalayn, page 768).

(15) Allama Ibn-e-Nujaim (d. 970 A.H.) writes in his book Al-Ashbah-wan-Nazair, "If a person disbelieves that Muhammad (P.B.H.) is the last of the Prophets, he is not a Muslim, for this is one of the fundamentals of the faith". (Al -Ashbah-wan Nazair, page 179).

(16) Mulla Ali Qari (d. 1016 A.H.) writes in Sharh Fiqh Akbar: "There is complete consensus of the Ummah on the point that laying claim to Prophethood after the Holy Prophet Muhammad (P.B.H.) is Kufr (heresy)". (Sharh Fiqh Akbar, page 202).

(17) Shaikh Ismail Haqqi (d. 1137 A.H.) explaining the above verse in his commentary Ruh-ul-Bayan, writes: "Asim read the word as Khatam, which is the sealing instrument with which things are sealed. It implies that the Holy Prophet (P.B.H.) came at the end and on him the line of the Prophets

was closed and sealed Some people have read it as Khatim, which means the one who puts a seal. Thus, Khatim also is a synonym of Khatam. . . . Henceforth the saintly scholars of his Ummah will be his successors in Walayat (spiritual eminence) since the succession to Prophethood has been brought to a close. And the second coming of the Prophet Jesus does not affect the Holy Prophet's (P.B.H.) being the last of the Prophets, for Khatam-un-Nabiyyin means that no other Prophet will be raised after him. . . . And Jesus has been raised as a Prophet before him. On his second coming he will come as a follower of the Sharia of Muhammad (P.B.H.). He will offer the prayer with his face towards his Qiblah, like any other man belonging to his Ummah. He will be a Caliph of the Holy Prophet Muhammad (P.B.H.).

And the followers of the Sunnah believe that there is no Prophet after our Holy Prophet (P.B.H.) for Allah has said: "But he is the Messenger of Allah and the last of the Prophets", and the Holy Prophet (P.B.H.) has declared: "There is no Prophet after me". Now whoever says that there is a Prophet after our Holy Prophet (P.B.H.), will be declared a Kafir for he has denied a fundamental article of the faith; likewise, the one who doubts it, will also be declared a Kafir, for the Truth has been made distinct from falsehood. And the claim of the one who claims to be a Prophet after the Holy Prophet Muhammad (P.B.H.) can be nothing but imposture (Ruh-ul-Bayan, Vol. 22, page 188).

(18) According to Fatawa Alimgiri, a compilation of the 12th century Hijrah, compiled by a board of eminent scholars under the orders of Aurangzeb 'Alamgir' the Emperor of India: "If a person disbelieves that Muhammad (P.B.H.) is the last of the Prophets, he is not a Muslim; and if he claims that he is Allah's Messenger or Prophet he will be declared a Kafir. (Fatawa Alamgiri, Vol. 2, page 263).

(19) Allama Shaukani (d. 1255 A.H.) writes in his Tafsir Fateh-ul-Qadir: "The majority of the scholars have read the

word as Khatim and Asim as Khatam. According to the first reading, it would mean this: The Holy Prophet (P.B.H.) closed the line of the Prophets, i.e. he came at the end of them, and according to the second reading: He was like a seal for them, with which their line was sealed, and with whose inclusion their group was exalted. (Fateh-ul-Qadir, Vol. 4, page 275).

(20) Allama Alusi (d. 1270 A.H.) writes in his commentary Ruhul Maani : "The word Nabi (Prophet) is general and Rasool (Messenger) specific. Therefore, the Holy Prophet's (P.B.H) being Khatam-un-Nabiyyin by itself requires that he should also be Khatam-ul-Mursalin; and his being the last of the Prophets and Messengers implies that after his being blessed by Allah with the Prophethood in this world, the office of Prophethood for any Jinn or human being has been abolished". (Ruh-ul-Maani, Vol. 22, page 32). "Whoever after him claims to be the recipient of revelation of Prophethood will be declared a Kafir and there is no difference of opinion among the Muslims in this regard". (Ruh-ul-Maani, Vol. 22, page 38). The Holy Prophet's (P.B.H.) being the last of the Prophets has been explicitly stated by the Book of Allah, clearly enunciated by the Sunnah and fully agreed upon by the entire Ummah. Therefore, whoever claims something contrary to it, will be declared a Kafir". (Ruh-ul-Maani, Vol. 22, page 39).

The same view about the finality of Prophethood has also been taken by the following Shia commentators :—

1. Ali bin Ibrahim (329–941 A.H.) Tafseer-al-Kummi, page 532, printed Najaf, (Iraq).
2. Shaikh Abu Jafar Mohammad bin-e-Hasan bin-e-Ali Tusi (died 460 A.H.) Tafseer-ul-Tibyan, Vol. 8, page 314, printed Najaf (Iraq).
3. Mulla Fatehullah Kashani (died 488 A.H.) Tafseer Manhaj-us-Sadiqin, Vol. 7, page 333, printed Najaf (Iraq).

4. Abu Ali Fazal bin-e-Husain Tabrasi (died 548 A.H.) Tafseer Majmaul Bayan, Vol. 2, page 289, printed Najaf (Iraq).
5. Mulla Muhsin Kashi: Tafseer-us-Safi page 491, printed Najaf (Iraq).
6. Hashim bin-e-Sulaiman bin-e-Ismail Husaini (died 1107 A.H.) Tafseer-ul-Burhan, Vol. 3, page 327, printed Qum (Iran).
7. Allama Husain Bakhsh: Anwarun Najaf, Vol. 11, page 211, printed Lahore.
8. Maulana Syed Ammar Ali : Tafseer Umdatul Bayan, Vol. 12, printed Delhi.
9. Maqbool Ahmad: Translation & Explanation of Holy Quran, page 507, printed Lahore.
10. Hafiz Farman Ali: Translation & Explanation of Holy Quran, page 585.

Zamakhshari (467–538 A.H.) in Tafseer-i-Kashshaf, Qazi Baidawi (died 685 A.H.) in Anwarul Tanzil, Imam Razi (543–606 A.H.) in Tafseer-i-Kabir, Vol. 3, page 343, Imam Nawawi (631-676 A.H.) in Sharh-i-Muslim, Vol. 2, page 189, Sharh-i-Muslim, Vol. 18, page 75, Alauddin Baghdadi (d. 725 A.H.) in Tafseer-i-Khazin, page 471–472, Taftazani (722–792) in Sharh Aqaid-i-Nasafi, page 1; Ibn-e-Hajar Asqalani (d. 449 A.H.) in Fateh-ul-Bari, Vol. 6, pages 315, 117, Badruddin Aini (d. 855 A.H.) in Umdat-ul-Qari, Vol. 16, page 40, Qastalani (851–923 A.H.) in Irshad-ul-Sari, Vol. 6, page 18, Ibn-e-Haisami (909–973 A.H.) in Fatawa Hadisia, pages 128–129, Sh. Abdul Haq Mohaddis Dehlvi (958–1052 A.H.) in Ashat-ul-Lamaat, Vol. 4 page 373, Zarqani (d.1162 A.H.) in Sharh-Mawahib-ul-Ladunnia, Vol. 3, page 116, favour the view that there is no repugnance between the Quran and the traditions about the second coming of Jesus.

These elucidations have been made by the eminent Scholars, Jurists, Traditionists and Commentators of every Muslim country

consistently in every age. A glance at their dates of birth and death will show that they included eminent authorities in every century of the history of Islam from the first to the 13th century Hijra.

The Holy Prophet (P.B.H.) also confirmed this meaning of the 'last of the Prophets' in many of his traditions, some of which are reproduced as under :—

« قَالَ الشَّيْءُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "كَانَتْ بَنُو إِسْرَائِيلَ تَسْوِسُهُمُ الْأَنْبِيَاءُ كُلُّمَا هَلَكَ نَبِيٌّ خَلَفَهُ نَبِيٌّ وَإِنَّهُ لَا يَنْبَغِي بَعْدِي وَسَيَكُونُ خَلْفَهُ" »

(1) The Holy Prophet (P.B.H.) said, "The children of Israel were guided by the Prophets. When a Prophet died, another succeeded him. However, there will be no Prophet after me; there will be only Caliphs. (Bukhari: Kitab-ul-Anbiya Vol.2 page 257, printed Darul Maarifah, Beruit, Lebanon).

« قَالَ الشَّيْءُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "إِنَّ مَثَلَ الْأَنْبِيَاءِ مِنْ قَبْلِنِي كَمَثَلِ رَجُلٍ يَجِدُ بَيْنَ أَنْفُسِهِ مَا حَسِنَهُ وَأَجْسَلُهُ إِلَّا مَوْضِعَ لِبَيْهِ مِنْ شَوَّافِيَةٍ وَجَعَلَ التَّاسِعَ يَطْرُفُونَ بِهِ وَيَنْجِيَّونَ لَهُ وَيَقُولُونَ هَلْ لَا وُضِعَتْ هَذِهِ الْبَيْنَةُ فَإِنَّ الْبَيْنَةَ وَإِنَّ حَارِثَةَ الْأَنْبِيَاءِ" »

(2) The Holy Prophet (P.B.H.) said, "My position in relation to the Prophets who came before me can be understood by a parable: A person constructed a great building and decorated and adorned it well, but in a corner he left niche or an empty space, for just one brick. The people went round the building and wondered at its beauty, but said: Why was not a brick laid here? So, I am that brick and I am the last of the Prophets. (That is, with my advent the edifice of Prophethood has been completed. Now there is no empty niche, which may have to be filled by another Prophet)". (Bukhari: Kitab-ul-Manaqib, Vol. 2, page 270, printed Darul Maarifah, Beruit).

Four traditions on the same subject have been reported in Muslim (Kitab-ul-Fadail) with the following additional

words in the last Hadith: "فَجَئْتُ فَخَتَّنَتُ الْأَنْبِيَاءَ" "So, I came and I closed the chain of the Prophets". The same tradition in these very words is found in Tirmidhi : Kitab-ul-Manaqib, Chapter Fadail-un-Nabi.

In Musnad Abu Daud Tayalisi, this tradition is reported on the authority of Jabir bin Abdullah, and its last words are to the effect "خُتِّمَ بِ التَّبِيُّونَ" Through me the Prophethood was brought to a close.

In Musnad Ahmad traditions on the subject with a slight difference in wording have been reported on the authority of Ubayy bin Ka'b, Abu Sa'id Khudri and Abu Hurairah.

(۲) إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَاتَ "فُضِّلْتُ عَلَى الْأَنْبِيَاءِ بِمِنْتَهِيِّ أَعْطِينِي جَوَامِعُ الْكَلِمِ وَنُصِّرْتُ بِالرُّغْبَ وَأُحْلِّتُ لِكَ النَّاسَ إِذْمُ وَجَعَلْتُ لِي الْأَرْضُ مَسْجِدًا وَطَهُعْدَ وَأُرْسِلْتُ إِلَى الْخَلْقِ كَافَّةً وَخُتِّمَ بِالْتَّبِيُّونَ"

(3) The Holy Prophet (P.B.H.) said: "I have been distinguished from the other Prophets in six matters (i) I have been endowed with eloquent speech, (ii) I am made awe inspiring, (iii) Booty has been made lawful for me, (iv) The whole earth has been made a Mosque for me as well as a means of obtaining purity, (v) I have been appointed a Messenger for the entire world, and (vi) The office of prophets ceases with me. (Muslim, Vol. 2, page 249, printed Darul Kutub, Beruit).

(۴) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "إِنَّ الرِّسَالَةَ وَالْمُبْيَأَةَ قَدِ انْقَطَعَتْ فَلَا رَسُولٌ بَعْدِي وَلَا نَبِيٌّ"

(4) The Holy Prophet (P.B.H.) said: "The line of Prophethood and Messengership has come to an end: After me there will neither be a Prophet nor Messenger. (Tirmidhi, Vol. 2, page 53, printed H.M. Saeed Company, Karachi).

(٥) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "أَنَا مُحَمَّدٌ وَأَنَا أَحْمَدٌ وَأَنَا النَّاجِيُ الَّذِي يُسْحَى بِالْكُفْرِ وَأَنَا الْحَاسِرُ الَّذِي يُحَشِّرُ النَّاسَ عَلَى عَقِيقَتِهِ وَأَنَا الْعَاقِبُ الَّذِي لَيْسَ بَعْدَهُ شَيْءٌ "

(5) The Holy Prophet (P.B.H.) said: "I am Muhammad, I am Ahmad, I am the eraser; disbelief will be erased through me, I am the assembler, the people will be assembled in the plain of Resurrection behind me, and I am the last one after whom there is no Prophet. (Muslim, Vol.2, page 261, printed Delhi).

(٤) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "إِنَّ اللَّهَ لَمْ يَبْعَثْ نَبِيًّا إِلَّا حَدَّثَهُ أُمَّتَهُ الدَّجَالَ وَأَنَا أَخْرُو الْأُسْرَى وَأَنْتُمْ أَخْرُو الْأُمَّمِ وَهُوَ الْحَارِجُ فِي كُفْرِ لَا حَالَةَ "

(6) The Holy Prophet (P.B.H.) said: "Allah has sent no Prophet who did not warn his people of the coming of Dajjal (the antichrist, but he did not come in their times). Now I am the last of the Prophets and you are the last community. Now he shall appear among you". (Ibn-e-Majah, Vol. 2, page 178).

(٧) عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرٍ قَالَ سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمْرِو بْنَ الْمَاصِي يَقُولُ خَرَجَ عَلَيْنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمًا كَالْمَوْدِعَ فَقَالَ أَنَا مُحَمَّدُ النَّبِيُّ الْأَتْيُ شَلَاثًا وَلَا كَسَتَ بَعْدِي -

(7) Abdur Rehman bin Jubair says: I heard Abdullah bin Amr bin Aas saying that the Holy Prophet (P.B.H.) one day came to us in a manner as though he was taking his leave. He said thrice: I am Muhammad (P.B.H.), the un-lettered Prophet, then said: and no Prophet will come after me". (Musnad Ahmad: Traditions from Abdullah bin Amr bin Aas).

(٨) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "لَا سُبُّةَ بَعْدِي إِلَّا مُبَشِّرَاتٌ" قَيْلَ وَمَا الْمُبَشِّرَاتُ يَا رَسُولَ اللَّهِ، قَالَ الْبُؤْيَا الْحَسَنَةُ أَوْ قَالَ الرُّؤْيَا الصَّالِحةُ

(8) The Holy Prophet (P.B.H.) said: "There is no Prophethood after me; there will only be harbingers of good news. He was asked, "who are the harbingers of good news, O

Messenger of Allah"? He replied: "A true vision", or said "A righteous vision". (That is, there is no possibility of Divine Revelation now. At the most a person may receive an inspiration, which will be in the form of a true vision). (Abu Daud, Vol. 2, page 316).

(٩) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَزَكَّاتَ بَعْدِي
نَبِيٌّ لَكَّاتَ عَمَدَتِ الْعَطَابِ

(9) The Holy Prophet (P.B.H.) said: "If a Prophet had to come after me, it would have been 'Umar bin il-Khattab". (Tirmidhi, Vol. 2, page 209, printed H.M. Saeed & Company, Karachi).

(١٠) قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِعَلِيٍّ أَنْتَ مِنْ
يَمْنَزِلَةِ هَارُونَ مِنْ مُوسَى إِلَّا أَنَّهُ لَا يَنْبُتُ بَعْدِي -

(10) The Holy Prophet (P.B.H.) said to Hadrat Ali : "You are to me as Aaron was to Moses, with the exception that there is no Prophet after me". (Muslim, Vol. 2, page 278, printed Delhi).

Bukhari and Muslim have related this tradition in connection with the Tabuk Expedition. Two traditions on this subject are related in Musnad Ahmad on the authority of Sa'ad bin Abi Waqqas, the last sentence of one of which is to the effect; "But there is no Prophethood after me". The detailed traditions related in this connection by Abu Daud Tayalisi, Imam Ahmad and Mohammad bin Ishaq show that on the eve of his departure for the Tabuk Expedition the Holy Prophet (P.B.H.) had decided to leave Hadrat Ali behind for the defence and protection of Madina. The hypocrites thereupon had an opportunity to pass discourteous remarks about him. He went to the Holy Prophet (P.B.H.) and asked him : "O Messenger of Allah, are you leaving me behind among the women and children"? On this occasion the Holy Prophet (P.B.H.) consoled him, saying : "You are to me as Aaron was to Moses".

That is, just as Prophet Moses, on his departure for Mount Tur, had left Prophet Aaron behind to look after the child-

ren of Israel, so he was leaving him behind for the defence of Madina". But apprehending that Hadrat Ali's comparison with a Prophet might cause mischief later, the Holy Prophet (P.B.H.) : immediately added the exception "there will be no Prophet after me".

(10) عن ثوبان قال رسول الله صلى الله عليه وسلم وَإِنَّمَا مَنْ يَكُونُ فِي أُمَّةٍ كَذَّابٌ تَلَاقُتْ كُلُّهُمْ يَرْعَمُ أَنَّهُ سَوْءٌ وَأَنَا خَاتَمُ النَّبِيِّنَ لَا يَكُونُ بَعْدِي

(11) It has been related by Thoban that the Holy Prophet (P.B.H.) said "..... and that 30 imitators will appear in my community each one of whom will claim to be a Prophet, whereas I am the last Prophet ; there is no Prophet after me". (Abu Daud, Vol. 2, page 202).

Abu Daud related another tradition on this subject in Kitab-al-Malahim on the authority of Abu Hurairah. Tirmidhi also related these two traditions on the same authority and that of Thoban. The second tradition is to the effect : "So much so that about 30 imitators will arise, each of whom will claim to be a Messenger of Allah".

(12) قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "لَقَدْ كَانَ فِيْنَ كَانَ قَبْلَكُمْ مِنْ بَعْدِ إِسْرَائِيلَ رِجَالٌ يُكَلِّمُونَ مِنْ عَنْهُ أَنْ يَكُونُوا أَنْبِيَاءً فَإِنْ يَكُنْ مِنْ أُمَّتِنَّ أَحَدُهُمْ كَاتِبٌ عَمَّرْ

(12) The Holy Prophet (P.B.H.) said : "There have been before you among the children of Israel people, who were spoken to (by God) though they were not Prophets. If there be such a one in my Ummah, he would be Umar". (Bukhari, Kitab al-Manaqib, Vol. 2, page 282, printed Darul Maarifah, Beruit).

A tradition on this subject reported in Muslim has the word Muhaddath (محادث) instead of yukallamun (يُكَلِّمُونَ) but both mean the persons who are spoken to by God, or are spoken to by the unseen.

(13) قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "لَا يَكُونُ بَعْدِي وَلَا أَمْمَةً بَعْدَ أُمَّتِنَّ

(13) The Holy Prophet (P.B.H.) said : "There is no Prophet after me, and there is no Ummah (of any other Prophet) after my Ummah". (Baihaqi, Vol. 5, page 197).

(13) قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ "فَإِنِّي أَخْرُجُ الْأَنْبِيَاءَ وَإِنَّ مَسِيْدِي أَخْرُجُ الْمَسَاجِدِ"

(14) The Holy Prophet (P.B.H.) said : "I am the last Prophet and my Mosque is the last Mosque (of a Prophet) (i.e. the Prophet's Mosque of Madina)". (Muslim : Kitab al-Hajj, page 202).

(15) عَنْ عَرْبَاضِ بْنِ سَارِيَةَ أَرَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ أَنَا حَانِثُ النَّبِيَّنَ وَإِنَّ أَدَمَ فِي طَنِيَّةٍ

(15) It is related from Irbaz bin-Saria that the Holy Prophet (P.B.H.) said : "I was the last of the Prophets when Adam had not yet been born". (Mustadrak of Hakim, Vol. 2, page 418, printed at Hyderabad, Deccan).

(16) يَا أَيُّهَا أَنْبِيَاءُ (يَا رَسُولَ اللهِ) لَقَدْ انْقَطَعَ بِمَوْتِكَ مَا لَمْ يُنْقَطِعْ بِمَوْتِكَ مِنَ الْتُّبُورَةِ وَالْأَنْبَاءِ وَأَخْبَارِ السَّمَاءِ

(16) It is related that Hazrat Ali addressing the Holy Prophet (P.B.H.) said : "O Messenger of Allah, your death stopped the thing which was not stopped by the death of anyone else that is Prophethood, revelation from Allah and other prophetic informations". (Nahjul Balaghah, Vol. 2, page 255, printed at Egypt).

(16) عَنْ إِبْرَاهِيمَ وَأَيْتَ عَبْدِ اللهِ عَلَيْهِمَا السَّلَامُ لَقَدْ خَتَمَ اللَّهُ بِكُمُ الْكِتَابَ وَخَتَمَ بِسَيِّدِكُمُ الْأَنْبِيَاءَ

(17) It is related that Abu Jafar and Abu Abdullah said : "Indeed Allah finished the divine books with your book (Holy Quran) and terminated (the line of) Prophets with your Prophet (Muhammad P.B.H.). (Usul-e-Kafi, Vol. 1 page 103, printed Nol Kishwar).

These traditions have been reported by a large number of the companions and related by many traditionists with many strong chains of authorities. A study of these shows

that the Holy Prophet (P.B.H.) had on different occasions in different ways and in different words affirmed that he was the last of the Prophets, that no Prophet would come after him, that Prophethood had been finalised in him, and that the people who claimed to be Messengers and Prophets after him would be imposters. There can be no more authentic, reliable and conclusive explanations of the Quranic word Khatam-un-Nabiyyin than this. The Holy Prophet's (P.B.H.) statement by itself is authoritative and decisive but when it explains a text of the Quran, it becomes all the more authenticated and conclusive. The question is; who can be better qualified to understand and explain the Quran than the Holy Prophet (P.B.H.) himself? Thus, if a person gives a different meaning to Khatam-e-Nubuwwat (Finality of Prophethood) how can he be held worthy of any attention or consideration, much less worthy of being believed in and followed.

This is an established principle but I may cite from Al-Iman by Ibn-e-Taimiya.

وَمَا يَنْبَغِي أَنْ يَعْلَمَ إِنَّ الْأَلْفَاظَ الْمُوْجَدَةَ فِي الْقُرْآنِ
وَالْحَدِيثِ إِذَا عُرِفَ تَفْسِيرُهَا وَمَا أَمْرَيْتُ بِهَا مِنْ جِهَةِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمْ يَحْتَاجْ فِي ذَلِكَ إِلَى الْإِسْتِدَالَلِ بِاَقْوَالِ أَهْلِ الْلُّغَةِ
وَلَا غَيْرَهُمْ

"And it must be understood that when the Holy Prophet (P.B.H.) relates any meaning or explanation of the words of the Quran and the Sunnah, no weight will be given to the dictionary meaning or any other meaning and explanation". (Al-Iman by Ibn-e-Taimiya, page 271).

The finality of Prophethood is a fundamental of Islam. Allama Ibn-e-Nujaim wrote (in Al-Ashbah wal Nazair, Kitab-ul-Sier, Babul Riddah, page 179) that a person who does not acknowledge the belief in the finality of Prophethood is not a Muslim since it is a fundamental of faith which must be known and acknowledged.

The opinions of Al-Ghazali (450–505 A.H.) Qadi Ayaz (d. 544 A.H.) Allama Shehrastani (d. 548 A.H.) : Ibn-e-Kathir (d. 774 A.H.), Mulla Ali Qari (d. 1016 A.H.), Sheikh Ismail Haqqi (d. 1137 A.H.), Shaukani (d. 1255 A.H.) and the view in Fatawa Alamgiri that one who does not believe in the finality of Prophethood or claims to be a Prophet or follows such a person, is an unbeliever not within the pale of Islam, have already been noticed. The verdict of Imam Abu Haneefa is also reproduced below :—

A man in the time of Imam Abu Haneefa (80–150 A.H.) claimed to be a Prophet and said, "Allow me to present proofs of my Prophethood". The Imam ruled : "Anyone who demands a proof of Prophethood from him will also turn an unbeliever, for the Messenger of Allah said "There is no Prophet after me". (Manaqib-ul-Imam al-Azam Abi Haneefa, Ibn-e-Ahmad al-Makki, Vol. 1, page 161, Hyderabad).

There is no doubt that a person who falsifies a clear and general verse of the Holy Quran by resort to its Taaweeel and particularisation is as good as one who denies the verse itself. The belief in the absolute finality of Prophethood of Muhammad (P.B.H) is an article of faith of the Muslims and a fundamental of the religion. These verdicts of the renowned scholars give the correct Sharia position about *inter alia* the claimant to prophethood as well as his followers.

In our view the verse about Khatam-un-Nabiyyin clinches the issue that all claimants of prophethood after the Holy Prophet will be false Prophets.

It may also be described here that some people have objected to the finality of the Holy Prophet (P.B.H.) and have stated that the meaning of Khatam is not the last but it is like calling a person Khatam-ush-shu'ara or Khatam-ul-Mufassirin. These terms do not mean that after such a person, no other Poet, or Jurist, or Commentator would be born, but it means that this particular branch of knowledge was exhausted with that person. But this is a

fallacious argument. The use of such a title as an exaggeration does not mean Khatam is usable for "perfect and excellent", and not for "last and final". There is no such rule that the use of a word sometimes in a figurative sense shall deprive that word of its real meaning. If somebody were to say "وَحَمَّةٌ خَاتَمُ الْقَوْمَ" before an Arab, he shall never understand it to mean that the most perfect man of the tribe had come, but shall understand it to mean that the last man of the tribe came.

One should also note that the titles of Khatam-ush-shu'ara, Khatam-ul-Fuqaha, etc. given to some people, were given by human beings, and no human being can ever know that after the person whom he is calling Khatam for some quality, no other person of the same quality would be born. That is the reason why in human language, these titles are no more than exaggerated recognition of excellence. But when Allah says that such and such a quality has terminated on and finalised in a particular person, there is no reason why we should understand it in any metaphorical sense, particularly when there is no ambiguity in the language. Therefore, Allah's calling someone Khatam-un-Nabiyyin and the man's exaggeratedly calling someone Khatam-un-shu'ara or Khatam-ul-fuqaha, etc. cannot be regarded at the same level.

An argument against the absolute finality is based on the tradition that his Mosque is the last mosque. It is argued that it is not the last mosque, because countless of other Mosques have been built after it in the world. The words 'last mosque' were used in the sense of excellence and perfection. The argument is fallacious. The last masjid means the Prophets' last masjid or the masjid having some special qualities as compared to other mosques.

The tradition related by Imam Muslim in this connection on the authority of Hadrat Abu Hurairah, Hadrat Abdullah bin Umar and Hadrat Maimunah (wife of the Prophet (P.B.H.) are explicit that there are three such Mosques in the world, which are superior to all other Mosques in the sense that offering the prayer in them carries a thousand times greater spiritual reward than offering it in other Mosques. They are Masjid-ul-Haram in Makkah, Masjid-al-Aqsa in Jerusalem (Bait-ul-Maqdas) and Masjid-i-Nabawi in Madinah. For this reason it is permissible to undertake a journey

for the purpose of offering the prayer in these three Mosques. This is something which is not advisable for any other Mosque. The merits and spiritual reward for all other Mosques whether far or near is equal. What the Holy Prophet (P.B.H.) meant was this: Since no other Prophet would come after him, no fourth Mosque would be built in the world offering the prayer in which might carry greater reward than offering the same in other Mosques and making of journey to which especially for the purpose of offering the prayer in it might be lawful.

A saying of Hadrat Aishah is cited against the principle of absolute finality of Prophethood. It is to the effect : Do say that the Holy Prophet (P.B.H.) is the Khatam-ul-Nabiyyin (last of the Prophets) but do not say that no Prophet will come after him. In the first place to cite a saying of Hadrat Aishah as against the authentic statements of the Holy Prophet (P.B.H.) that "there will be no Prophet after me, " is highly derogatory . Besides, the tradition ascribed to Hadrat Aishah is itself not authentic. No traditionist worthy of any mention has related it in any reliable collection. It is only traced to Durrul-Mansur, a commentary of the Quran and Takmilah Majma-ul-Bihar, a dictionary of Hadith but without any reference to its chain of transmitters. It is unreliable and no scholar of renown ever relied on it.

Another Hadith which requires consideration is reported in Ibn-e-Majah on the authority of Ibn-e-Abbas that the Holy Prophet (P.B.H.) said in connection with his son Ibrahim that if he had lived he would have been truthful Prophet.

لَعَلَّكَ إِبْرَاهِيمُ نَكَّاتٌ صَدِيقَتُ

This Hadith was held to be false and incorrect by Imam Nawawi as stated in Al-Mauzaut-ul-Khabir page 58. One of the persons in the chain of transmitters is Abu Shaaba who is not reliable, Imam Tirmizi said that he was not reliable in Hadith. Imam Nasai described him as weak in Hadith. Imam Ahmad said about him that no weight can be given to what he said. Imam Abu Hatim called him un-reliable in hadith (Tahzibul Tahzib, vol. I, pages 144–145).

After the description of the Muslim concept of finality of the Prophethood of Muhammad (P.B.H.), it would be appropriate to

refer to the history and evolution of the claim of Mirza Sahib to prophethood.

Mirza Sahib was born in 1839 or 1840 in village Quadian, District Gurdaspur in that part of the Punjab which is now included in India. This is according to the writings of Mirza Sahib but a controversy later raged in regard to his year of birth among the members of his family. According to the first thesis of Mirza Bashir Ahmad, his son, author of *Seerat-i-Mehdi*, and his biographer, the year of birth could be 1836 or 1837. *Seerat-i-Mehdi*, Volume 2, page 150. On reconsideration he fixed the date of birth as 13th February, 1835. (*Seerat-i-Mehdi*, Volume 3, page 76). According to one calculation the year of birth could be 1831 (*Ibid*, page 74). (Meraj Din fixed the date as 7th February, 1832 (*Ibid*, page 302). Others take the year of birth to 1833 or 1834 (*Ibid*, page 194).

The reason for these discrepant views of Mirza Bashir Ahmad and others who believed Mirza Sahib to be a Prophet who was imparted divine knowledge by God (and consequently should not have made a mistake about his year of birth) is not far to be seen. Mirza Sahib was about sixty nine years old at the time of his death (born 1839 and died 1908). Nemat Ullah Wali, a saint of the sixth century Hijrah who is said to have predicted the future events among the Muslims in a continuous poem is said to have written in that poem some predictions about the coming of someone at the end of the thirteenth century and the beginning of the fourteenth century who would revive Sharia. Mirza Sahib applied that poem to himself. In one couplet it was predicted that that person would remain alive for forty years from the date of his advent i.e. taking over of the mantle of appointment as the chosen of the Lord. Mirza Sahib while commenting upon the meaning of the couplet wrote that he was appointed as such at the age of forty and he will live till the age of eighty years or nearabout. (*Nishan-e-Aasmani*, page 15). He then claimed to have a divine revelation

”أَطْلَأَ اللَّهَ بَشَّارَكَ ، أَتَى بِبَاعِجْ جَارِزِيَّهِ بِبَاعِجْ جَارِكَ۔“

(Allah give you long life eighty-four or five years more or four or five years less). Thus according to this revelation he had to die any time between the age of seventy-five years or eighty-five years. The attempt to prove him more aged and to bring his life span

closer to seventy-five years is directed towards proving the accuracy of the prediction and the revelation.

The anxiety to establish the fulfilment of prophecy is revealed by a letter of Molvi Abdul Rahim Dard M.A. a preacher of Qadianism who wrote a letter to Mirza Bashir Ahmad, compiler of Seerat-i-Mehdi commanding his research in respect of age of Mirza Sahib. He exhorted him to resolve this matter finally so that the year of birth be fixed between 1836 and 1837. After referring to the revelations of eighty or near about reproduced in Arbain 3, page 36, Tohfa-i-Golarwia, page 29, Izala-i-Auham pages 634 to 638 he wrote :

"The meanings of these revelations were stated by Mirza Sahib as follows :—

"The apparent words of the promise in the revelation fix the age between seventy four and eighty six."

If either according to Hijra or the Gregorian Calender the age is proved within this, the revelation would be fulfilled. There can be no objection if the birth is proved between 1836 and 1822". (Seerat-i-Mehdi, Vol. 3 pages 187, 188, No. 763).

The same reason is disclosed at page 76 of Seerat-i-Mehdi, Vol. 3.

After fixing the date of birth as 13th February, 1835 Mirza Bashir Ahmad calculated the age of Mirza Sahib according to the Hijra Calendar as more than seventy five years.

Mirza Sahib was born in a family of landlords which though prosperous and affluent in the past was practically reduced to straitened circumstances at the time of his birth. In 1857 his father Ghulam Murtaza had shown his loyalty to the East India Company and had supplied fifty horses and fifty recruits to the British Army to help them in crushing the fighters of the war of Independence who were called traitors by that Government. In exchange he was held in some esteem by the Government. The tendency to eulogise the British Government was, therefore,

ingrained in Mirza Sahib from his boy-hood and continued till death. He mentions and repeats his father's loyalty to the British Government and his being honoured with a seat in the Governor's Darbar, with excessive pride, in his various books and pamphlets. He also mentions his own unflinching loyalty to that Government in his writings.

Mirza Sahib had some religious education from some teachers. Because of the financial position of the family he had to join service as a clerk in the courts at Sialkot on a meagre salary of Rs. 15/- per month. This venture lasted from 1864 to 1868 when he resigned from service and became busy in the family litigation for the restoration of the family property and in the study of the religious literature. His father died when he was about thirty-five years old (Kitab-ul-Bariyyah, pages 146 to 149). At the end of the seventies of the last century he began writing some articles against Christianity, Arya Samaj and the Brahmo Samaj. He also had disputations and debates with the scholars and followers of those religions. He was thus introduced to the Ulema and the Muslim intelligentsia and gained some popularity amongst them.

In 1879 he advertised through a pamphlet his intention to write a book containing three hundred arguments in support of the superiority of Islam over Christianity and Hinduism. He exhorted the Muslims to send their subscriptions and contributions or price of the book in advance since he had no money to publish the same. He wrote in Haqiqat-ul-Wahi, page 337 that when he wrote his first book Baraheen-i-Ahmadiyya he had no money to get it printed. He then prayed to Allah, and alleged to have Ilham (inspiration) on which he wrote letters and received money from different sources.

The book was first priced at Rs. 25/- for others and Rs. 10/- for Muslims (See Baraheen-i-Ahmadiyya, Vol. 3, 1970 Ed. on the back of the title page). After the publication of the first two volumes it was priced at Rs. 100/- for others and Rs. 10/- or Rs. 15/- for Muslims (See ibid, page 67).

Quite a number of persons paid the price in advance but only four volumes of the book could be published in four years upto

1884. The fifth was published in 1905. During the period of more than two decades between the publication of the fourth and the fifth volumes Mirza Sahib wrote about eighty books but he could not complete the fifth volume despite protests from the contributors of the price of complete book and hostile criticism by many (ibid, Vol. 5, page 1).

The first volume of the book consisted of 82 pages only (which in the edition of 1970 is condensed in 25 pages only). It was published in 1880 and consisted of preliminaries about the need of the book, list of contributors, some poems and a pamphlet promising award of a prize of Rs. 10,000/- to one who refuted even one-fifth of the arguments through the divinely inspired books of their religion. The second volume consisting of fifty-five pages (new edition 40 pages) of preface only was also published in 1880. The third volume of 143 pages (new edition of 100 pages) was published in 1882. The fourth volume was printed in 1884 and consisted of 282 pages (new edition 191 pages) (See Seerat-ul-Mehdi, Vol. 2, page 151 for dates of publication).

It appears from the fifth volume of the book (page 1) that Mirza Sahib had originally intended to publish the book in fifty volumes and advance price of the book had been received from many contributors. But he declared that his promise was fulfilled with the publication of the fifth volume since there was difference of a zero only between the figures 5 and 50.

Despite the favourable reaction of the Muslims to the pamphlets advertising the book long before its publication Mirza Sahib left no opportunity of complaining against the rich among them and blaming them for indifference. Only two instances of contributions may be reproduced. A sum of five thousand rupees, which was equal to an amount of several hundred thousands of the present age was contributed by one person alone and another sum of five hundred rupees was sent in two instalments by another gentleman (See the publisher's note, Baraheen-i-Ahmadiyya, Vol. 1 page 5 to the 1970 edition).

Mirza Sahib claimed that he had more than three hundred thousands revelations out of which fifty thousand related to

money matters, i.e. whether and when the money would be received. This claim would indicate that money matters were uppermost in his mind.

The main theme in Baraheen-i-Ahmadiyya in which three hundred arguments were promised, is that of divine inspirations or revelations which according to Mirza Sahib continue in the followers of the holy prophet who qualify for it. The purpose with which the book was promised to be printed may have been served or not but the purpose which may have only been intended but not promised was served abundantly. The predominating theme in volumes three and four are the alleged revelations of Mirza Sahib and the theories which laid the foundation of his future claims of being a promised Messiah, promised Mehdi and a prophet. The foundational claim of Mamoor-un-Minallah (an appointee from God) was, however, made in the third volume of the book Seerat-ul-Mehdi, Vol. 2, page 151. In the fourth volume he claimed to have received the sign of Mujaddidiyat (revivalism) (See pages 502 and 503 of Baraheen; Hayat-i-Tayyeba by Abdul Qadir, page 69 ; Also see Seerat-i-Mehdi, Vol. 2, page 151). The real purpose of the publication of the book at public expense proved to be the propagation of self, the advertisement of his alleged revelations and the publication of his theories which would ultimately help him in making a claim to prophethood. In order to establish the last point a few extracts are given from Baraheen-i-Ahmadiyya.

(1) Ilham is a measure of information about hidden affairs. God always creates such men in the Muhammadan Community who believe in the Holy Quran, and act upon its Injunctions truthfully and sincerely and consider the Holy Prophet (P.B.H.) as the true and perfect Prophet of God, more venerable and prominent than other Prophets, the last of the Prophets and his guide leader. (page 215).

(2) It is different from the prophetic revelation which has ended but the above inspiration shall not terminate. This type of inspiration is a great proof of the prophetic revelation (page 215).

(3) The word Ilham cannot be limited to its dictionary meaning. There is concensus among the Ulema that Ilham is equivalent to Wahi (page 221).

(4) There is a dispute of words amongst us and the Ulema that whatever divine information We call Wahi, is called Ilham by the Ulema (page 222).

(5) If Ulema are not given the share of hidden knowledge how can they be the inheritors of the knowledge of the Prophet.

(6) Did not the Holy Prophet (P.B.H.) say that there will be Mohaddas (one who is in communication with God) in this Ummah (page 231).

(7) The deviation from the right path, the extreme mischief of the age the craftiness, knavery of those who deny the extreme inattention of the indolent and the negligent, the severity in heresy of the opponents demands that the inspired knowledge of such persons should be like that of Messengers (ممثل الرسل). These are the people who have been named Amsal (امثال) in Hadis and Siddiq in Quran (page 233).

(8) The time of their manifestation or appearance resembles the time of appearance of the Prophets. The advent of both is dependant on the extreme severity of deviation from the path of righteousness, and indolence (page 233).

(9) يا احمد بارك الله فيك (صفر ٢٢٨)

اى اول ناشر الى الله بامر الله في هذا الزمان قل جاء الحق ونهرت
الباطل قل ان افتريته فعل اجرامي هو الذى ارسل رسوله بالهدى
(صفر ٢٢٩)

يا احمد فاضت الرحمة على شفيفاتك انت باعيننا يرفع الله ذكرك
(صفر ٢٣١)

يا ايها المدثر قسم فاندعا وربات فكتبراني سرافعت الى والقيت عليك
محبة من صفر (٢٢٢)

Translation

O! Ahmad! Allah bless you You are the first viceregent of Allah with His order in this age.

And tell that the truth has come and falsehood has vanished. Say thou: If I am liar, on me then be my guilt. He is who has sent his messenger with the guidance and the true religion that he may make it prevail over all religions (page 239).

O! Ahmad! Allah has overflowed his mercy upon your lips. May Allah raise for you your renown.

O! thou enveloped, arise and warn and magnify your Lord (page 242).

I shall raise you upto me and I flow on you my love (page 242).

(10) At this juncture there should be no such doubt: How an ordinary person in the Ummah of the Holy Prophet (P.B.H.) can be associated with the names, qualities and excellences. It is undoubtedly correct that even a Prophet cannot be an equal partner in his pure perfections, the angles can also not boast of such equality. How can any other person have any relation with the perfection of the Prophet (P.B.H.). But O seekers after truth listen to this attentively for this reason that the blessings of the Holy Prophet (P.B.H.) be manifest and till eternity the perfect rays of his light and acceptance may silence the opponents. God has made this arrangement with his perfect wisdom and mercy that some persons from the Ummah of the Prophet (P.B.H.) who follow the Prophet (P.B.H.) most humbly and submissively..... may manifest the blessings of the Holy Prophet (P.B.H.) through their insignificant existence. Whatever praise is levelled on them from Allah or whatever signs and bounties become manifest from them the subject of all those praises and the person from whom those blessings emanate is the Holy Prophet (P.B.H.). But on account of his being the

follower of the Sunnah of the Prophet (P.B.H.) that resplendent person who is the excellent second of the Prophet (شخص نوراف جو وجود با جود حضرت نبی ہے) stays like a shadow (ظل). For this reason whatever Allah's light or splendour appears in that Holy personage also manifests itself in his Zil (shadow). Appearance of that condition and behaviour in the shadow as is that of the cognate is something which is well known to all and is not a secret (pages 243, 244 also see page 301).

(11) O Adam you and your wife stay in paradise ; O Mary you and your husband stay in paradise ; O Ahmad you and your wife live in paradise. I blew up in you from my inspiration (لطف) the spirit of truth (page 496).

This was translated by Mirza Sahib as follows :—

O Adam, O Mary, O Ahmad you and whoever is your follower or comrade enter paradise i.e. enter the cause of true salvation. I have blown up in you the spirit of truthfulness. (He then explained that) the verse describes the cause of the name of the spiritual Adam. As Adam was born without assistance of any cause (father, mother) so the spirit is blown in the spiritual Adam without assistance of external causes. In fact this blowing in of spirit is something special with the Prophets and ultimately it was conferred by way of lineage or inheritance on particular persons in the Ummah of the Holy Prophet (page 497).

انا انزلناه قریباً من القادیان - و بالحق انزلناه
(12) و بالحق نزل صدق الله و رسوله و كان امر الله مفعولاً

Mirza Sahib explained this as follows :—

We made these signs and wonders and this inspiration which is full of meanings and truth descend near Quadian for reason of truth and on account of necessity. Whatever information was given by Allah and His Prophet is fulfilled and what Allah wished had to be accomplished.

These last words are a pointer to this that the Holy Prophet (P.B.H.) had pointed out in his hadis about his appearance and Allah had hinted about the same in his Holy Book. That hint has already been mentioned in the inspiration recorded in the third volume. The divine hint is in the verse :—

هُوَ الَّذِي أَرْسَلَ رَسُولَهُ بِالْهُدَىٰ وَدِينِ الْحُكْمِ لِيُظَهِّرَ عَلَى الْأَرْضِ كُلِّهِ

(He sent His messenger with guidance and the true religion that he may make it to prevail on each religion.

This verse is a prediction in favour of the Messiah in the physical and political sense and the promise of superiority or victory of Islam will be manifest with the victory of Messiah. With the second coming of the Messiah the religion of Islam will spread through him in all the World. But it is manifested on this humble person that on account of his lowliness, humility, trust in God and selflessness and by virtue of the luminous signs, he is the model of Messiah's first sojourn in the world and his nature very much resembles the nature of Messiah as if they are two pieces of the same jewel or two fruits of the same tree. just as Jesus, a Prophet of high dignity was the follower of Moses and servant of (his) religion and his Bible was a branch of Torah, this humble person is a lowly servant of that grand Prophet who is the leader of all messengers. If he is Hamid he (Mirza Sahib) is Ahmad. If he is Mahmud he (Mirza Sahib) is Muhammad (P.B.H.). (This may be marked that Mirza Sahib puts the words ﷺ (P.B.H.) when he refers to himself although these words are exclusively used for Prophets). Since this humble man has complete resemblance with Jesus, God included him from the beginning in the prediction about Messiah: Messiah is the manifest and physical object of that prediction while this humble person is its spiritual and plausible object. The spiritual victory of Islam which is dependent upon irrefutable logic and arguments is destined through this humble self whether it be manifest during his life-time or after his death (pages 498 and 499).

(13) Thus God after creating this humble slave in this age and after conferring upon him hundreds of heavenly signs and (the quality of) penetrability into the hidden affairs and knowledge and after arming him with knowledge of irrefutable arguments, intended that he may publish and make prevalent the Quranic truthful science in every nation and in every country (page 501).

(14) Whatever sources of spreading the religion, arguments and reasoning for silencing all excuses have been made available to me were never given to anyone in the earlier Umam (plural of Ummah, i.e. communities of followers of Prophets) (page 502).

(15) I had written this much when a person named Shah-buddin. . . . said that Molvi Ghulam Ullah, Molvi Ahmad Ullah Amritsari, Molvi Abdul Aziz and some other Molvis deny those Ilham (inspirations) which resemble the prophetic revelations their argument is that if such Ilham be true, then the companions of the Holy Prophet (P.B.H.) deserved them more. In authentication of the same the letters of Sh. Abdul Qadir Jilani and Mujaddid Alf Sani may be seen how abundant are their inspirations (الہام). Imam-e-Rabbani Mujaddid Alf Sani in the fifty-first letter in the second volume of his letters writes plainly that a person who is not a Prophet has the honour of being in communication with and addressed by God. Such a person is known Mohaddas and his position is nearer the rank of Prophets (page 546).

(16) God did not give you up nor is he angry with you. Did not we open your heart. Did not we make everything easy for you that we granted you Bait-ul-Fikr (house for contemplation) and Bait-ul-Zikr (house for worship). Whoever enters Bait-ul-Zikr sincerely with the intention of following with good faith and sound belief shall towards the end be in peace. By Bait-ul-Fikr is meant the room in which I have been and am even now busy in the writing of this book. By Bait-ul-Zikr is meant the Mosque built adjacent to that room. The last phrase describes the quality of the

Masjid (Mosque) and from the letters of which can be found the date of its construction. The words are مبارک و کل امر مبارک بخیل فیه meaning that this Mosque is blessed and confers blessings and every blessed act will be committed in it (pages 558, 559).

The following points are made out by the above mentioned extracts from Baraheen-i-Ahmadia, Vol .3 and 4 :

- (1) Mirza Sahib claimed to have direct communication with God and was addressed by Him directly.
- (2) He called his Ilham as Wahi and apprehending the possible objection from the Ulema, he wrote that this was only a dispute over language: He called the divine information as Wahi while the Ulema named it Ilham.
- (3) He was the recipient of secret knowledge and knowledge about future events.
- (4) In this age of sin such a reformer should be like a messenger and such people were named Amsal in Hadis and Siddiq in Quran.
- (5) The appearance of such as he, resembles the advent of the Prophets.
- (6) Though no one can equal the Holy Prophet (P.B.H.) but a person on account of his being the staunch follower of the Prophet and his Sunnah becomes his Zil (Shadow).
- (7) The manifestation of the state and behaviour in the Zil (Shadow) is that of the original leader.
- (8) If the leader is Hamid the Zil is Ahmad. If the first named is Mahmood the other is Muhammad (P.B.H.) and Mirza Sahib who is saying this about himself puts ﷺ (peace be upon him or P.H.B)

in short) against Muhammad which according to him is his name but he does not put such words of prayer, which are reserved for the prophets, against the names of the Holy Prophet .

- (9) Mirza Sahib resembled Jesus and the prediction of his coming applied to him in the manifest and physical sense while it applied to Mirza Sahib in the spiritual sense.
- (10) The coming of Mohaddas was predicted by the Holy Prophet (PBH) and according to Mujaddid Alf Sani Mohaddas is a person who has the honour of being in communication with and addressed by God and his position is nearer the rank of Prophets.
- (11) The verse

مَوْلَانِي أَنْسَلَ رَسُولَهُ يَالْمُدْعَى وَدَيْنَ الْمُجَاهِدَةِ عَلَى الَّذِينَ كُلُّهُمْ

was revealed for Mirza Sahib.
- (12) Though the above verse is a prediction in favour of the Messiah in the physical and political sense but Mirza Sahib is the model of Messiah's first sojourn in the world and both are pieces of the same Jewel.
- (13) God sent a revelation to Mirza Sahib that He granted him Bait-ul-Fikr and Bait-ul-Zikr. Bait-ul-Fikr was the Chaubara in which he wrote Beraheen-e-Ahmadiya and Bait-ul-Zikr means the Mosque built adjacent to the Chaubara. According to the Ilham the Mosque is blessed and confers blessings and every blessed act will be committed in it.

From these points it will be clear that while laying the foundation for his claim he lay persistent emphasis on Ilham (inspiration) which for reasons of his own he called Wahi (revelation). Mirza Sahib claimed in 1882 that he was appointed by God (مامور) The purpose of appointment for reform is detailed in the

3rd volume of Baraheen-i-Ahmadia but he took two years to declare himself as Mujaddid (Revivalist). For his claim of Promised Messiah he wrote his resemblance with Jesus and of his being the person who would perform the function for which Jesus was commissioned in his physical appearance. For the claim of Zilli Prophethood he claimed to be recipient of Wahi (revelation) in the language and verse of the Quran and that he was the object of the verse Q 48 : 28. He was Zil of the Prophet and Zil had all the qualities of the cognate. Thus attempt was made to remove all hurdles in respect of future claim of Promised Messiah and Prophet. The manners in which, according to his claim, he had Ilhams were five and two of them very much resembled the manner in which the Holy Prophet (P.B.H.) received the Wahi (revelation).

In these citations there is one quotation in which it is said that Jesus will be coming physically in this world as Messiah. The subsequent development was only an attempt to prove that Messiah had died a natural death in Kashmir and his second coming in a physical sense was impossible. Consequently the Maseel (likeness of) Messiah that is Mirza Sahib had to fulfill the prophecy about the second coming of Messiah.

There is a clear verse in the Holy Quran about Holy Prophet (P.B.H.) being the last of the Prophets. This hurdle had to be crossed by discovering a new meaning of the word Khatam that the Prophet shall henceforth be commissioned from the Muslim Ummah and must bear the seal of authentication of the Holy Prophet (P.B.H.).

There is no reference to Mehdi but in view of the qualifications appropriated by Mirza Sahib for himself this would not be a difficult claim to make.

Mirza Sahib claimed to be the Promised Messiah in 1891. He had thereafter disputation with Christian Missionaries also.

Abdullah Atham was a Christian who was considered an adept at disputation or contest by argument / مناظرہ /). Mirza

Sahib had such contests with him and other Christian Missionaries from 22nd May, 1893 to 5th June, 1893 regarding the truthfulness and superiority of Islam as a religion. On the last day of the contest Mirza Sahib made a prediction to the effect that.

"last night I prayed to God with much humility and self abasement that He may decide in this matter. We are humble servants and are helpless in the absence of a decree from you. He gave me this sign as a tiding that whoever among the disputants voluntarily and knowingly is opting for falsehood, abandoning true God and making an humble (person) a divinity shall, at the rate of one month per day of contest be thrown in hawiya (raging fire) and will be much disgraced provided he fails to correct his wrong. And whoever is right and believes in true God will be honoured. And when this prophecy comes true some of the blinds will have their vision restored, some persons who are lame shall start walking (like ordinary people) and some deaf persons shall start hearing

.....

I declare that if this prediction is proved incorrect and the party who is on the wrong path does not fall in Hawiya (raging fire) after death within fifteen months, I will be prepared to bear any punishment. I may be disgraced, my face may be blackened and after putting a rope round my neck I may be hanged. I swear by Great God that He will do so, He will certainly do so, He will certainly do so....." (Jang-e-Muqaddas, pages 183, 184, Silsila-i-Tasnifat, Vol.5, page 2562).

On 22nd August, 1894 Mirza Sahib wrote a letter to one Munshi Rustam Ali in which he expressed his anxiety that the 'known person' (Atham) was still healthy and plump. He prayed for being saved from the test (Maktubat-i-Ahmadiyya, Vol. 5, letter No. 3, page 128 ; Quadiani Mazhab, page 324).

In Seerat-e-Mehdi, (Vol. 1 pages 159-160) are described the steps taken by Mirza Sahib for the fulfilment of his prophecy. It is said that Mian Abdullah Sinousi informed him that a day before

the expiry of period of prediction about Atham, the Promised Messiah asked him and Mian Ahmad Ali to bring grams in weight which he specified and recite on them such and such Chapter of the Quran in such number (The author did not recollect the number nor the Chapter of the Quran). Mian Abdullah Sinousi continued that he recited the said Chapter of the Quran for the whole night. After finishing the recitation they went to Mirza Sahib as directed. He (Mirza Sahib) took both of them outside Quadian probably toward the north and directed them to throw (the grams) in an un-useable well and then to turn their faces and hasten from there without looking back. The two acted as they were directed.

On the last day of the prophecy faces of the Ahmadis were withered and they were extremely dejected. Some persons on account of unawareness had betted on the death of Atham. There was dejection and disappointment all round. People wept bitterly during prayers and prayed to God that they might not be dis-honoured (Seerat-i-Meseeh-i-Mauood by Sh. Yaqub Ali ; Quadiani Mazhab, page 325).

Mirza Sahib explained this by saying that the prediction was subject to the condition that Atham did not withdraw (from his belief). So in the meeting of disputation itself he had withdrawn the word Dajjal (impostor) which he had said about the Holy Prophet (P.B.H.), in the presence of seventy persons and not only this, he proved the withdrawal (عذر) by his fifteen months' continuous silence. The basis of prediction was that he had called the Holy Prophet (P.B.H.) Dajjal and having benefitted from this penitence he died after fifteen months (Roohani Khazain, Vol. 9, page 6, from Kashti-e-Nuh, printed in 1902, Also see Haqiqatul Wahi, page 8).

Mirza Sahib wrote in Naseem-e-Daawat (printed in 1903, page 91) that sometimes the fulfilment of the prophecy is delayed on account of penitence. Any objection against the completion of the prophecy could be raised only if he himself had died before Atham (Roohani Khazain, Vol. 19, page 451, published 1907, page 185) .

It may be noticed that there is nothing in the prophecy that Atham had called names to the Holy Prophet (P.B.H.). The basis of the prophecy was that Atham was abandoning true God and making a humble man a divinity which refers to his belief in the gospels. A period of fifteen months fixed for the death of Atham, expired without fulfilment of the prophecy.

Molvi Sanaullah of Amritsar was one of the great opponents of Mirza Sahib. On the 15th April, 1907, Mirza Sahib wrote a letter to him in a state of great exasperation (which is apparent from the letter) in which he referred to his (Molvi Sanaullah's) propaganda against him that he was an imposter, a liar and Dajjal (a deceiver) and then declared

Prophecy about
Amritsar
Molvi Sanaullah

“If I am such a liar and imposter as you paint me in your newspaper, I shall die in your life time because I know that a mischievous person and a liar do not live long and at length he dies disgracefully and in sorrow during the life time of his enemies. In fact it is better that he should perish so that he may not corrupt the creation of God. And if I am not a liar, imposter and I be in communication with and an addressee of God and I be the Promised Messiah, I expect from the kindness of God that according to his law you will not be spared the punishment of a falsifier. The punishment shall also be not of human hand but shall be of divine hand just as plague, cholera or fatal diseases. If such punishment does not befall you, I am not from God.”

At the end there is a prayer for God's decree in this matter (Hayat-i-Tayyiba, page 423 to 425).

The fact is that Molvi Sanaullah outlived Mirza Sahib by many long years and Mirza Sahib died in 1908 of diarrhoea according to the common version of his followers and of cholera according to the version of his father-in-law. (See Quadiani Mazhab by Iyas Barni page 137).

The followers of Mirza Sahib began to confuse the issue after his death that the letter was an offer for Mubahala (مباهلة)

(cursing one another and praying that whoever is not on the right path may die) but Molvi Sanaullah did not accept the offer. But the said letter is not capable of being so interpreted. It is clearly a unilateral matter which did not require the consent of the other.

It is not important as to who dies first. The death of Mirza Sahib before Molvi Sanaullah assumed importance because of the high flown and stern language that Mirza Sahib used and often made life or death a test of his being commissioned by God or being an imposter.

The prophecy of death of his opponents was one of the mode adopted by Mirza Sahib to prove his truthfulness. When some opponent died, as he must die some day, this was considered to be proof of truthfulness of the alleged mission of Mirza Sahib. Mirza Sahib was ultimately compelled by order of the District Magistrate (Deputy Commissioner) Gurdaspur, dated 23rd August, 1897 in a case of breach of peace under section 107 Criminal Procedure Code, to refrain from making prophecies about death or disgrace of any person (Al Barriyyah, page 261). Mirza Sahib is said to have given an undertaking in Court that he would not use such language. (See Tableegh-i-Risalat, Vol. 6, page 168. Also see ibid page 166). But he denied it. However he gave such an undertaking in 1899 on the 25th February, in the Court of Mr. M. Douie, District Magistrate Gurdaspur (Quadiani Mazhab, pages 456, 458, Tableegh-i- risalat, Vol. 8 page 44).

The publication of Baraheen-i-Ahmadiyya in which great emphasis was laid by Mirza Sahib on divine revelations received by him evoked much curiosity among the Muslims. They waited for other prophecies and their fulfilment. Mirza Sahib issued pamphlets about certain prophecies which proved incorrect. He, therefore, became the object of criticism and ridicule and in order to clear up his position he resorted to Taaweeel (to give a different interpretation of an obvious meaning of a word) of what he said.

Mirza Sahib published a revelation in a pamphlet dated 20th of February, 1886 that a son would be born to him. "His name

is Emanuel and also Bashir. Whoever comes (is born) at that time will be wealthy and a man of pomp and grandeur. When he comes he will cure many of their illnesses by his miraculous powers. He will be Kalimat Ullah " ﷺ " (word of God)'. People began to wait for the fulfilment of this revelation.

It so happened that a girl was born to Mirza Sahib in May 1886. On this, as the author of Seerat-ul-Mehdi said, those who believed were disappointed while such a wave of derision, mockery and ridicule arose among those who did not believe or were enemies (of Mirza Sahib) that it created condition like that of an earthquake. Mirza Sahib declared through pamphlet and letters that in that revelation there was no such hint that the son would be born in the same pregnancy (Seerat-i-Mehdi, Vol. 1, page 88).

A son was thereafter born in August, 1887. There were jubilations on his birth and many of those persons who were shaken (in their belief) became firm. People considered that this was the promised son and Mirza Sahib also had the same opinion on account of the birth of Bashir-I. People began to return (towards Mirza Sahib) but after a year that child died. This created a great storm and an earthquake in the country like of which was noticed neither before nor ever after this event. Many of those who believed received such a jolt that they never recovered thereafter (never returned to the fold).

Mirza Sahib again tried to convince people through pamphlets and letters that he was never certain that that son was the object of revelation. Since he had received many revelations in which was expressed his great excellence he also thought that perhaps he might be the promised son but in the revelation itself there was no such indication. Some of the people (followers) were assured by the explanation while others were disappointed. The opponents ridiculed (Seerat-i-Mehdi, Vol. 1, page 88).

It may be stated that the above mentioned pamphlet about the revelation was published on 20th February, 1886. Another pamphlet was published on 22nd of March 1886 in which it was

said that the son would be born within 9 years. A third pamphlet was issued on 8th April, 1886 in which it was said that a son is to be born soon and the time (of his birth) cannot exceed the period of pregnancy (Tableegh-i-Risalat, Vol. I, pages 86, 87). It was for this reason that people ridiculed Mirza Sahib when a daughter was born in May, 1886. But this was also interpreted by Mirza Sahib in his own favour. It was said that it was never prophesied that the son would be born in the then pregnancy. The words that the time would not exceed the time of pregnancy could mean that he could be born even within 2½ or 3 years and also that he could be born at any time within nine years (ibid). These interpretations obviously did not satisfy people.

The explanation that Mirza Sahib was not certain that Bashir-I was the object of revelation may be judged in the light of pamphlet dated 7th August, 1887 in which he expressed complete satisfaction with intense pleasure that the prophecy was proved correct and that night at about 1.30 A.M. that blessed son was born (Tableegni-i-Risalat, vol. I, page 99). The pamphlet was headed 'Good News' (خوبی خبر). The pamphlet of good news proved that Mirza Sahib was himself certain and he himself spread the news in the public.

The attempts of Mirza Sahib to marry Mohammadi Begum and his failure are well-known.

In the pamphlet dated 20th February, 1887 in which there was the prophecy of the birth of the son, was published another prophecy alleged to be based on divine revelation. He wrote that God gave him good tidings about women some of whom he would get in future. It is clear from the other writings and pamphlets that the good tidings was about his future marriages. However, the fact remains that Mirza Sahib was last married on 17th November, 1884 (Hayat-e-Tayyiba, page 75).

In a letter written to Molvi Nuruddin on 8th June, 1886 Mirza Sahib wrote that about four months ago it was made manifest to him that a son of many excellences would be born to him.

Of late he had been having numerous inspirations that he would have to marry again and it had been decided by God that a virtuous and chaste wife would be given to him and she would bear children. He then wrote about two proposals of marriage which were not approved by him (Maktubat-i-Ahmadiyya, Vol. 5, letter No.2).

Mirza Sahib claimed that many times God had informed him by way of prophecy that he would be married to the elder daughter of Mirza Ahmad Beg whether in a virginal state or as a widow (Izala-i-Auham, page 396).

On the 10th May, 1888 a letter of request for marriage of Mirza Sahib was published in Newspaper Nur Afshan. His opponents made him the target of their objections. Mirza Sahib responded by publishing a pamphlet dated 19th July, 1888 in justification of this letter and reiterated that he had asked for the hand of Mohammadi Begum elder daughter of Mirza Ahmad Beg in obedience of the order of God. He further gave the details of the methodology used for achievement of this object. Some of his near relatives demanded signs from him and the father of the girl (Mohammadi Begum) had been obedient to them and considered his daughters to be their daughters and they thought likewise. They considered Mirza Sahib to be a liar and imposter. They raised objections against Islam and the Holy Quran and demanded signs from him. For this reason he prayed many a times for them. This prayer was accepted in this manner that the father of the girl beseeched him in an important matter. His sister was married to a paternal cousin of Mirza Sahib named Ghulam Hussain. Ghulam Hussain was missing for the last twenty-five years. His land to which Mirza Sahib was legally entitled as a heir was got recorded in the revenue record in the name of his wife. Ahmad Beg and her brother wished that the land which was worth about four or five thousand rupees might be gifted in favour of his son Mohammad Beg. A gift deed was drawn on behalf of the wife of Ghulam Hussain and was brought to Mirza Sahib for obtaining his consent which was legally essential. Mirza Sahib was inclined to sign it but he received divine order that he should now make a move for demanding his daughter in marriage and inform him that the show

of benevolence or generosity would be subject to that condition and that the marriage would be a source of blessings and a sign of mercy for them. If they did not agree to the marriage the girl would come to grief. The person to whom she might be married would die within 2½ years of the marriage and the father would die within three years from that time (Tableegh-i-Risalat, Vol. I, page 116).

From the supplement of the above pamphlet which is published dated 15th July, 1888 it appears that the relatives of Mirza Sahib considered him an imposter and a businessman (who made the claims of being in direct communication with God for the purpose of making money). He wrote that these persons were not satisfied even by the signs shown to them. He did not need this rishta (new relationship by marriage). The request for marriage was made only by way of sign so that those who refused to believe in him may be shown by God the nature and wonders. By their acceptance (of proposal for marriage) signs of divine mercy and blessings might be made to descend on them, and the coming misfortunes and calamities might be avoided. But if they rejected (him) awful and terrible signs might be sent to warn them. (ibid, pages 119, 120).

Mirza Sahib did not confine himself to these threats. He wrote letters to his relatives as well as to Mirza Ahmad Beg. These were letters of entreatment. In his letter dated 20th February, 1888 to Mirza Ahmad Beg he wrote that in case of promise of marriage he was prepared to sign the gift deed and in addition his own property would be of God and Ahmad Beg. He also promised that his son would, through his efforts be employed in the Police Department and would be married to the daughter of one of his rich disciples. (Nawishta-i-Ghaib by M.S. Khalid, page 100. See Quadiani Mazhab by Ilyas Burney, 5th Edition, pages 375,376). He wrote another letter to Mirza Ahmad Beg on 17th July, 1892 in which he said that the prophecy regarding his marriage was very well-known. He entreated him to assist in the fulfilment of the prophecy (Kalimat-i-Fazle Rahmani by Qazi Fazal ahmad, page 123 ; Quadiani Mazhab, pages 377 to 379).

Fazal Ahmad son of Mirza Sahib was married to the daughter of Mirza Sher Ali whose wife was the sister of Mirza Ahmad Beg. Mirza Sahib wrote letters to Mirza Sher Ali and his wife also asking them to help him in getting the hand of Mohammadi Begum and threatened them that if she was married to some other person he would ask his son Fazal Ahmad to divorce his wife. Mirza Sher Ali wrote back to Mirza Sahib that if he substituted himself for Mirza Ahmad Beg, and the latter requested him to give the hand of his daughter in marriage and he had been more than fifty years old and had surpassed Musailma the imposter (a false Prophet of the time of the Holy Prophet (P.B.H.), could he have given his daughter in marriage to him.

In reply to the threat of Mirza Sahib that in case of his refusal to influence Ahmad Beg through his wife (sister of Mirza Ahmad Beg) his son would divorce his daughter, Mirza Sher Ali Beg inquired how could his wife merely for the sake of his daughter, ask his brother to give his daughter in marriage to a sickly person who on account of melancholia had reached the stage of divinity (Quadiani Mazhab, pages 381, 382).

Ultimately under pressure of Mirza Sahib his son Fazal Ahmad unwillingly divorced his wife daughter of Mirza Sher Ali Beg. Mirza Sahib's first wife and his son Sultan Ahmad sided with Mohammadi Begum's family. Mirza Sahib divorced his wife too and disinherited his son Sultan Ahmad. (Tableegh-i-Risalat, Vol. 2, pages 9 to 11).

Mohammadi Begum was married to Mirza Sultan Mohammad who did not die as predicted and remained alive for quite a long time. Mirza Ahmad Beg died within six months of his daughter's marriage and this was taken as the fulfilment of the prophecy. But what about the marriage or the death of Sultan Mohammad? He outlived Mirza Sahib by many long years, fought in the first world war, was wounded but survived. (Qaudianiyat by Syed Abul-Hassan Ali Nadvi, page 165).

In Seerat ul Mehdi it is conceded that Mirza Sahib wrote letters to his relatives and made great efforts for this marriage

(Vol. I page 186) but the author tried to explain that there was no Prophet who did not make attempt for the fulfilment of his prophecies-certainly a very broad claim (ibid, page 175). But assuming this to be true, was it lawful to force his son to divorce his wife, to threaten the son's father-in-law that as a consequence of his refusal to help him he would direct his son to divorce his wife. There is no concept of disinheriting a disobedient son in one's lifetime in the religion which Mirza Sahib purported to follow but he declared this in writing. He divorced his first wife also for the same reason of not being willing to prevail upon her relatives for this marriage. Divorce is the most condemnable thing in Islam but Mirza Sahib was quick to take revenge even from his wife and his son and one daughter-in-law.

The author of *Seerat-e-Mehdi* writes that not only Mirza Ahmad Beg died but the family had to bear so many misfortunes. It is said that by the death of Mirza Ahmad Beg the prophecy was fulfilled. But the prophecy was that the husband of Mohammadi Begum would die within 2½ years and her father would die within three years. The reasonable interpretation of the prophecy should be that the father would die after the death of the husband of Muhammadi Begum but within three years of the marriage. But he died soon after the marriage and the person who was to be the first victim remained alive.

The failure or success in betrothal or marriage is hardly material in normal circumstances but this matter assumed importance on account of the insistence of Mirza Sahib about the divine revelation. In *Anjam-i-Atham* (published in *Silsila-e-Tasnifat*, Vol. VIII, page 4773, note) Mirza Sahib wrote that "essence of prophecy about the son-in-law of Ahmad Beg is his inevitable destiny, Wait for it. If I am a liar this prophecy shall not be fulfilled till I die" and it was not fulfilled. This was 1899. Earlier he had said almost the same thing about marriage in a pamphlet dated 6th September, 1894. He wrote "the essence of the prophecy that the marriage of that woman with me is an inevitable destiny which cannot be withdrawn (prove false) because this phrase is there in the divine revelation 'la tabdeela li kalimat illah' (there can be no change in the words of God) which means that what I have said in

this respect will not be withdrawn (prove false). If it is withdrawn (is proved untrue) the word of God is futile and of no worth".

But at the time that these words were written the period fixed for the death of Sultan Mohammad had already expired but Mirza Sahib insisted that what is destined must happen though there may be some delay in it.

Mirza Sahib made a prophecy in 1891 "سلطنت بريطانیہ ہفت سال" (The British rule for eight years or the British rule for 7 years only). This has been the subject matter of various interpretations because the British rule continued till after World War II (See Seerat-i-Mehdi, Vol. 2, page 9 ; No. 314).

In Baraheen-e-Ahmadia, Vol. 5 (pages 73-74) Mirza Sahib mentioned verse Q.3 : 55.

إذ قَالَ اللَّهُ يُعِينُكَ إِنِّي مُتَوَقِّيَكَ وَرَافِعُكَ إِلَيَّ وَمُطْهِرُكَ مِنَ الظَّالِمِينَ كَفَرُوا وَجَاءُكُلُّ الَّذِينَ اتَّبَعُوكَ فَوْفَقَ الظَّالِمِينَ كَفَرُوا إِلَى يَوْمِ الْقِيَامَةِ

'(And remember) when Allah said : O Jesus ! Lo ! I am gathered thee and causing thee to ascend unto Me, and am cleansing thee of those who disbelieve and am setting those who follow thee above those who disbelieve until the Day of Resurrection.

and said:

It means O Jesus I shall give you death and lift you towards Me and manifest your exoneration I will make your believers predominant over those who deny you.

In this revelation the word Isa (Jesus) connotes me and the word 'followers' refers to my organization. The prophecy in the Quran is about Jesus and the words 'subdued community' refer to the Jews who are diminishing every day. The fresh revelation of this verse for me and my organization points out this that it is

destined that those who were outside the organization will go on diminishing and all the sects of the Muslims which are outside my organization will continue to diminish ; (in the sense that) they will continue entering my organization or they will be annihilated.

The incorrectness of this prediction is so visible that not much is required to be said about it. The number of Quadianis in Pakistan in the last census of 1981 is 103,000 and the number of Muslims has increased several times in Punjab alone where Mirza Sahib had some following. The number of Quadianis has always been exaggerated as will be clear from the Encyclopaedia of Religion and Ethics Vol. x page 530 (Q)

'The movement has grown steadily since its inception in 1889. In 1896 it claimed 313 members. In the 1901 Government census 1113 males were returned for the United Provinces, and 11,087 for the Bombay Presidency (obviously an inaccuracy). In 1904, the Mirza Sahib claimed 'more than 100,000 followers' and before his death he estimated the total number of his followers at 500,000. Against this manifest exaggeration must be placed the returns of the census for the Punjab in 1911, viz. 18,695 Ahmadis. Probably 60,000 would be a liberal estimate of the total strength of the movement throughout India today. There are also a few scattered followers in other countries'

In the Census of 1931 their number was 55,000 only which Mirza Mahmood Ahmad estimated at 75,000 (Address of Mian Bashir-ud-Din Mahmud Ahmad in Al-Fazal Qadian Vol. 21 No. 152 dated 21-6-1934 c.f. Qadiani Mazhab, page 415).

In a Pamphlet dated 27th September, 1899 Mirza Sahib wrote that he had given the number of his followers as three hundred in some book. This number had reached ten thousand and within three years would exceed one hundred thousand. (Tableegh-i-Risalat Vol. 8 page 54). In a pamphlet dated 4th November, 1900 he assessed this number as thirty thousand (ibid Vol. 9 page 90).

Mirza Sahib took oath and said that "I say on oath that at least one hundred thousand in my organization are such who believe in me sincerely". (Seerat-e-Mehdi Vol. 1, page 146. In Tuhfat-ul-Nadwa (1902) also he fixed the same number and said out of them ten thousand were converted during the period of plague.

In supplement to Haqiqat-ul-Wahi (printed 1907), page 117, Mirza Sahib fixed the number of his followers as four hundred thousands.

Besides Mirza Sahib and his successors, his followers including Mubarak Ahmad, Professor, Jamia Ahmadiya Quadian also inflated the number. The latter fixed the number of Ahmadis at 5 millions. Abdur Rahman Dard stated before Mr. Philby that the Quadianis outnumbered Muslims in Punjab. This statement was made when the Muslim population of Punjab was only 15 millions. This means that according to his claim the number of Quadianis in Punjab was 7½ million. Recently Economist London gave this number as 10 millions. The journal must have been fed by the Quadianis. The number of Muslims in the Punjab is more than 45 millions now while the Quadianis in the whole country number 103,000. So this was the prediction of Mirza Sahib.

The unity of Calcutta in an article written on the death of Mirza Sahib fixed the number of his adherents at 20,000 (Seerat-e-Mehdi Vol. 1, page 265 ; No. 290).

When Mirza Sahib had some little following he called his followers for bay't by a pamphlet dated 1st December, 1888 (Hayat-e-Tayyiba, pages 97, 98). According to the article 'Quadian' in Encyclopaedia of Religion and Ethics (Vol. 10), the number of such followers was 313 in 1896.

After collecting some sizable number of followers Mirza Sahib took the second step of declaring himself the promised Messiah and the promised Mehdi in 1891. The apprehension of Muslim Ummah that he was on the road to becoming a Prophet was partly proved correct. In fact Mirza Sahib had already laid the

foundation of being the promised Messiah in Baraheen-i-Ahmadiyya in which he claimed to be Maseel-i-Maseeh (like Messiah).

Mirza Sahib declared in Fath-e-Islam (published 1891) that he was one who had been sent for the reform of the people so that he may revive the religion and establish it in the hearts of the people. He had been sent in the same manner as the one who was sent after Moses whose spirit after many trials and tribulations was raised. Then another one who communicated with God (like Moses) and who is really the chief of all the Prophets came to defeat the Pharoahs regarding whom it was said (Q 73 : 15)

إِنَّا أَنْذَنَا إِلَيْهِمْ رَسُولًا شَفِيْهِ مَكْرُمَهُ أَنْزَلْنَا إِلَيْكُمْ مَنْ أَنْزَلْنَا إِلَيْهِمْ رَسُولًا فَلَمْ يَرَوْهُمْ

Lo ! We have sent unto you a messenger as witness against you, even as we sent unto Pharaoh a messenger.

Thus he who in his actions was Maseel (double or second) of Moses but was superior to him in rank was also promised a double or second (Maseel) of Messiah (Jesus) and as Jesus son of Mary came in the fourteenth century after the first communicator with God (Moses) so after the same period after the second communicator with God alighted the second of the Messiah (See Fath-e-Islam printed in Roohani Khazain, Vol. 3, page 8). The language after the words "first communicator with God" is ambiguous but I have given the purport of the theory of Mirza Sahib as has been clarified by him at other places as well as in other books.

Mirza Sahib wrote that "the Messiah who had to come has come" (page 9). This was not a new theory that Mirza Sahib had been sent in the name of Messiah. It was stated in Baraheen-i-Ahmadiyya that he had a particular resemblance with Messiah in nature and for this reason he had been sent in the name of Messiah. The theory was later developed that Jesus had died and he died a natural death in Kashmir and once his spirit went to paradise it could not return to this world.

He further said in Tauzihul Maram (published 1891) (see Roohan-i-Khazain, Vol. 3, page 60) that the door of revelation was

not completely closed nor had revelation been sealed in all manners. The door of partial prophethood and revelation was still open and would always remain open. But this is not a complete prophethood. It is only partial prophethood which is known by the name of Mohaddasiyyat which is obtained by following the perfect man. Mohaddas was explained at another place as a person who is in communication with God. In Baraheen-i-Ahmadiyya he had called Mohaddas like a Prophet but now he called him a partial Prophet. The exact words in Baraheen-i-Ahmadiyya are that his position is nearer the position of a Prophet (page 46). He gave the illustrations of Mary mother of Jesus, mother of Moses, apostles of Jesus and Khizr none of whom was a Prophet. In fact he maintained his position about the absolute finality of prophethood upto 1890 but changed it later as stated above.

He kept the door open for advent of Prophets without Shariah by formulating his faith in th words that 'now no such inspiration or revelation from God is possible which may amend or abrogate Injunctions of the Quran or may have the effect of changing even one Injunction. Whoever believes to the contrary is beyond the pale of the Muslim Ummah and is an unbeliever and infidel (Izala-i-Auham, page 138).

Upto 1891 the Muslims of the Indian Sub-continent only ridiculed Mirza Sahib whenever his prophecy was falsified. It has already been seen in the episode of Mohammadi Begum that his own family members called him an imposter, Musailma and by such other epithets ; they probably knew him better.

But the claim of Messiah and Mehdi shook the Muslims. The flood-gates of criticism, resentment and anger were opened. Mirza Sahib was quick to retrace his steps a little obviously in order to appease the Muslims.

But before taking up this subject it would be advisable to explain the words Nabi (Prophet), Rasool or Mursal (Messenger)

Every Rasool (Messenger) is a Nabi (Prophet) and it is not necessary that each Prophet (Nabi) may also be a Rasool (Messenger)

The difference in the two is that Nabi (Prophet) is one to whom come revelations from God and the angels come to him with revelations. Rasool (Messenger) is one who brings new Sharia or abrogates some Injunctions of the previous Sharia. No distinction, however, is recognized generally between Rasool (Messenger) or Mursal except that according to Karamiyyah Rasool (messenger) is a person sent by God while Mursal is a person sent by any sender (Usul-ul-Din by Abdul Qahir Baghdadi, page 154).

At a later period the distinction between Rasool (Messenger) and Nabi (Prophet) evaporated. However, if any one made a distinction it is as mentioned above (Urdu Dairat-ul-Maaraf-i-Islamia, Vol. 10, page 253 on word 'Rasool'). According to Al-Aqaidul Nasafia by Abu Hafas Umar Nasafi there is no difference between the two words. But in that book the word Rasool (Messenger) is used in the sense of one bringing Sharia (ibid).

Mirza Sahib used all the three words Nabi (Prophet), Rasool (messenger) and Mursal in Izala-e-Auham, page 534. He said while refuting the second coming of Jesus as Messiah "how it was possible that any other Nabi (Prophet) who is perfect according to the conditions of the perfect Nubuwwat (Prophethood) could come after Khatimun-Nabiyyin. The essentials of the perfect Nubuwwat (Prophethood) of such a Nabi (Prophet) are revelations and the coming of Gabriel which are inevitable. According to the clarification in the Quran Rasool (Messenger) is the same person who has obtained the Injunctions and the belief of the religion through Gabriel but a seal was put about thirteen centuries ago upon the revelation of Nubuwwat (Prophethood), will this seal break at that time "(It means that according to him the seal must not break)".

It would be seen that the words Nabi (Prophet) and Rasool (Messenger) have been used interchangeably and not distinctively.

At page 761 it is said "fourthly Quran has not made lawful for any Rasool (Messenger) to come after the Khatimun-Nabiyyin (last of the Prophets) whether he be a new Rasool (Messenger) or old because the knowledge of religion which is imparted to a

Rasool (Messenger) by way of revelation through Gabriel cannot be sent now and it is not understandable that a Rasool (Messenger) may come but the revelation of Risaalat (Messengership) be extinct."

At page 614 of Izala-e-Auham referring to verse Q.33 : 40

كَمَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِّنْ رِجَالِكُمْ وَلِكُنْ رَسُولَ اللَّهِ وَخَاتَمَ النَّبِيِّنَ

(Muhammad is not the father of any one amongst you but he is Rasool (Messenger) of God and Khatimun-Nabiyyin (seal of the Prophets).

He explained the latter portion of the verse as meaning 'but he is messenger of Allah and the one who put an end to the Prophets "He then said that" this verse clearly is proof of the fact that after our Nabi (Prophet) no Rasool (Messenger) will come in this world. It is also clear from it that Jesus son of Mary, Messenger of God cannot come in this world because he is Rasool and this is essential for Rasool (Messenger) that the religious knowledge may have been obtained by him through Gabriel. "But he added that the revelation of Risaalat however, is not determined till the day of judgment."

It would be seen that from the words Khatamun-Nabiyyin in which the word Nabi (Prophet) has been used, he has drawn the conclusion that there shall be no Rasool (Messenger) till the day of judgment (page 714). Earlier his position in Baraheen-i-Ahmadiyya was that the prophetic revelation was at an end with the Holy Prophet (P.B.H.) but now he again made an aperture in the finality of Prophethood by saying that the Revelation of Risalat (Prophetic revelation) is not determined.

In a handbill dated 2nd October, 1891 reproduced in Tableegh-i-Risalat (Vol. 2, page 20) he said "I believe in all those things which are included in the Islamic faith and believe what is believed by Ahl-e-Sunnat-wal-Jamaat (). اهل السنّة و الجماعة I believe in all those matters which are definitely proved from the Holy Quran and the Hadis and consider a claimant to Nubuwwat

and Risalat (Prophethood and Messengership) after the Holy Prophet (P.B.H.) who was 'Khatam-ul-Mursaleen' (the last of the Prophets) to be an imposter, false claimant and infidel (کاذب اور کافر). It is my faith that the Wahi (revelation) of Prophethood which started with Adam terminated on Prophet Muhammad (P.B.H.). This last one again is a position different from what is discussed above.

In an other handbill published on the 23rd October, 1891 and distributed in a meeting held in Jamia Mosque Delhi and reproduced at page 44 of Tableegh-i-Risalat, Vol. 2, he stated

”ان تمام امور میں میرا وہی مذہب ہے جو دیجھے ابی سنت و الجماعت کا مذہب ...
..... اب میں مفضله ذیل امور کا مسلمانوں کے سامنے صاف صاف اقرار اس خاتم خدا (جامع مسجد دہلی) میں کرتا ہوں کہ میں جناب خاتم الانبیاء صلی اللہ علیہ وسلم کی ختم نبوت کا فائل ہوں اور جو شخص ختم نبوت کا منکر ہو اس کو بے دین اور دارہ اسلام سے خارج سمجھتا ہوں۔“

”In all these matters my religion is the same as that of Ahle-Sunnat-wal-Jamaat. I now acknowledge about the following matters in this House of Allah (خاتم خدا) that I believe in the finality of the Prophethood of the last of the Prophets (Muhammad P.B.H.) and I consider one who denies the finality of the Prophethood to be irreligious (بے دین) and outside the pale of Islam.“

In the first handbill dated the 2nd October, 1891, it was stated that Mirza Sahib treated a claimant of either Prophethood to be an imposter or a false Prophet and heretic. In the second handbill he used the word the finality of the Nubuwwat but obviously in the sense as including a Nabi as well as a Rasool.

In his book Anjam-e-Atham (انجام آتم) (end of Atham) printed 1897, page 24 Margin, Mirza Sahib said:

”کیا ایسا بدنجت مفتری جو خود رسالت اور نبوت کا دعوے کرتا ہے قرآن شریف پر ایمان رکھ سکتا ہے اور کیا وہ شخص جو قرآن شریف پر ایمان رکھتا ہے اور آیت و نکنِ رسول اللہ و خاتم النبیین کو خدا کا کلام یقین رکھتا ہے وہ کہ سکتا ہے کہ میں بھی آنحضرت صلی اللہ علیہ وسلم کے بعد نبی اور رسول

ہوں۔ صاحبِ الصفات طلب کو یاد رکھنا چاہیے کہ اس عاجز نے کبھی اور کسی وقت حقیقی طور پر ثبوت یا رسالت کا دعویٰ نہیں کیا اور غیر حقیقی طور پر کبھی لفظ کو استعمال کرتا اور لغت کے عام معنوں کے لحاظ سے اس کو بول چاہ میں لانا مستلزم کفر نہیں، مگر میں اس کو بھی پسند نہیں کرتا کہ اس میں علم مسلمانوں کو دھوکہ لگ جانے کا احتمال ہے لیکن وہ مکالمات اور مخاطبات جو اشہد جل شہادت کی طرف سے مجبود کر لیے ہیں جن میں یہ لفظ ثابت اور رسالت کا بحثت آیا ہے ان کو بوجہ نامور ہونے کے مخفی نہیں رکھ سکتا، لیکن بار بار کہتا ہوں کہ ان اہمیات میں جو لفظ مرسل یا رسول یا نبی کا میری نسبت آیا ہے (لفظ رسول اور نبی میں مراوِ مجاز ہے) وہ اپنے حقیقی معنوں پر مستعمل نہیں ہے اور اہل حقیقت جس کی میں علی رَبِّ الْاَشْهَادِ گواہی دیتا ہوں یہی ہے جو ہم اے شَكُونَى پڑانا اور نہ کوئی نیا۔

(Is there any unfortunate imposter who believes in the Holy Quran and the verse **وَلَكِنْ رَسُولَ اللَّهِ وَخَاتَمَ النَّبِيِّنَ** “

(but he is the Messenger of Allah and the seal of the Prophets) and can yet say that I am a Prophet and Messenger (نبی اور رسول) after the Holy Prophet (P.B.H.)

The just people should remember that this humble (person) never really claimed prophethood (Nubuwwat) or apostleship (Risalat). The use of a word in an unrealistic manner or in its dictionary meaning, in day to day communication does not amount to disbelief but I do not like that there may be a possibility of the Muslims being deceived. The communications which I have received from God consist of the word Nubuwwat (Prophethood) and Risalat (Messengership) in abundance. I cannot keep them secret since I am an appointee from Allah (مأمور من الله). But I repeat again and again that in these revelations wherever the word Mursal or Rasool (Messenger) or Nabi (Prophet) is used about me it is not used in its real sense. The fact of which I give evidence in the open is that our Prophet (P.B.H.) is the last of the Prophets and there shall be no Prophet after him whether new or old).

” وَ مَنْ قَالَ بَعْدَ رَسُولِنَا وَ سَيِّدِنَا إِنِّي نَبِيٌّ وَ رَسُولٌ عَلَى وَجْهِ الْحَقِيقَةِ وَ الْاِفْتَرَاءُ وَ تَرْكُ الْقُرْآنِ وَ احْكَامِ الشَّرِيعَةِ الْمُتَّنَاهِ فَهُوَ كَاْفِرٌ كَذَابٌ - غَنِيٌّ بِهَا مُهَبٌ بِهِيْ بِهِ کَہ جو شخص حقیقی طور پر نبوت کا دعویے کرے اور آنحضرت صلی اللہ علیہ وسلم کے دامن فیروز سے پانے تینیں الگ کر کے اور اس پاک سرچشمے سے جدا ہو کر آپ ہی براو راست بنی اللہ بنتا چاہے تو وہ طحہ بے دین ہے اور غالباً ایسا شخص اپنا کوئی نیا کلہ بناتے گا اور عبادات میں کوئی نئی طرز پیدا کرگا اور احکام میں کچھ تغیر و تبدل کرے گا، اپس طلبہ وہ مسیکر کتاب کا جمائی ہے اور اسکے کافر ہونے میں کافی نہ کٹھیں۔“

(Whoever said after our apostle and leader that I am a Prophet or apostle whether he says it in the real sense or by way of inventing lies and abandons the Quran and the Injunctions of the Holy Sharia, he is an infidel and imposter. Our religion, therefore, is that whoever claims Prophethood in the real sense, and keeping himself apart from the blessings of the Holy Prophet (P.B.H.) and separating himself from that holy source wants to become the Prophet of God he is irreligious and a heretic. Probably such a person will introduce a new Kalima (about the unity of Allah and his own Prophethood) and new manners of worship and will also bring changes in Injunctions. Such a man will certainly be a brother of Musailma imposter and there is no doubt of his being an unbeliever).

In ‘Hammamatul Bushra’ (حمامۃ البشیر) page 96 (published 1894) he said :

” مَا لِي أَنْ أَدْعُ النَّبِيَّةَ وَ أَخْرُجَ مِنَ الْإِسْلَامِ وَ الْحَقَّ بِالْكَافِرِينَ ”

(It is not lawful (جائز) for me that I may go out of the pale of Islam by claiming Prophethood and mix with the heretics) that his claim was not of Prophethood but only of Wilayat and Mujaddidiyyat (مجددیت). He also gave an analogy between his Ilham and that of Abdul-Qadir Jilani (a renowned saint of Islam).

حَمَّامَةُ الْبَشْرَى (Hammamatul Bushra)
He emphasised in 'Hammamatul Bushra' (حَمَّامَةُ الْبَشْرَى)
page 34.

”اَلَا تَعْلَمُ اَنَّ الرَّبَّ الرَّحِيمَ الْمُفْضِلَ سَمَحَ نَبِيَّنَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَاتِمَ النَّبِيَّيْنَ بَعْدِ اسْتِشَاءٍ وَفَسْرَهُ نَبِيَّنَا فِي قَوْلِهِ لَا نَبْيَتْ بَعْدِي بَيِّنَاتٍ وَاضْعَفَ لِلْطَّالِبِينَ وَلَوْجُوزِنَا ظَهَرُهُ نَبْيَتْ بَعْدِ نَبِيَّنَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِجَوَزِنَا اَنْفَتَاحَ بَابَ وَحْيِ النَّبِيَّةِ بَعْدَ تَفْلِيقِهَا وَهَذَا خَلْفٌ بِمَا لَا يَخْفَى عَلَى الْمُسْلِمِينَ وَكَيْفَ يَجْسِيَ مَتْبَتْ بَعْدَ رَسُولِنَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَدْ اَنْقَطَعَ الْوَحْيُ بَعْدَ وَفَاتَهُ وَخَتَمَ اللَّهُ بِهِ النَّبِيَّتِ“

(Do you not know that Allah declared our Prophet (P.B.H.) *without any exception* as the last of the Prophets and our Prophet (P.B.H.) clarified its meaning by saying ' لَا نَبْيَتْ بَعْدِي ' (there will be no Prophet after me) and thus elucidated this point. If we open the door of prophetic Wahi (revelation) after its closure, it will not be correct, and it is no secret for the Muslims, how can a Prophet come after our Prophet (P.B.H.) particularly when after his expiry revelation (وَحْيٌ) as well as Prophethood stand terminated).

The later portion deals with the point whether Jesus will come again and will be the last of the Prophets. He said "our belief is that the Prophethood obtained finality by the Advent of our Prophet (Muhammad P.B.H)".

From this last principle it would be clear that according to Mirza Sahib the prediction of descent of Jesus does not mean the return of Prophet Jesus since it would make him the last of the Prophets.

This is also stated in 'Ayyam-e-Suleh' (اَيَّامُ صَلَحٍ) published 1899, (page 146). He said:

” قرآن شریعت میں سیع ابن مريم کے دو بارہ آنے کا توکیں بھی ذکر نہیں لیکن ختم نبوت کا بے کمال تصریح ذکر ہے اور پہلے یا نئے بھی کی تغزیت یہ شریعت ہے۔ حدیث میں نہ قرآن میں یہ تغزیت موجود ہے اور حدیث لاہنی بعده میں نئی مام ہے۔ پس یہ کبک قدر جو ایسے دلیری اور گستاخی ہے کہ خیالاتِ یگیکی کی پیروی کر کے نہ صرف صریح قرآن کو محدث چھوڑ دیا جائے اور خاتم الانبیاء کے بعد ایک بھی کام اتنا مان دیا جائے اور بعد اس کے جو دو متفق ہو جی سی پھر سلسلہ دہی نبوت کا جاری کرد یا جائے یہی نکل جس میں اس نبوت مانی ہے اسکی دوی یا ثالثہ نبوت کی دوی ہوئی۔ ”

(There is no mention in the Quran about the 2nd coming of Jesus son of Mary. Dictum of finality of Prophethood is mentioned there very clearly. It will be a mischief to distinguish between an old and a new Prophet. There is no such distinction either in Hadis or Quran. On the other hand the Hadis ' لا سنت بعدی ' (there is no Prophet after me) negates it in general terms (which admits of no exception). How daring an insolence is it that the clear verses of the Holy Quran be abandoned voluntarily under the influence of disgraceful ideas and the coming of a Prophet after the last of the Prophets be believed in with the consequence of reviving the prophetic revelation after the same was determined because whosoever is conferred prophethood, his revelation must be a prophetic revelation).

In a handbill dated the 20th of Sha'aban 1314 (1897 A.D) published in Tableegh-e-Risalat, Vol. 6, page 2, he wrote :

” یہ بھی تدبی نبوت پر عنت بیجھے ہیں۔ لالا اللہ عزیز رسول اللہ کے قائل ہیں اور آخرت میں ای اٹھوڑی سیل کے ختم نبوت پر بیان کئے ہیں وہی نبوت نہیں بلکہ دوی ولیت جو زیر سایہ نبوتِ محمد اور باتیح آخرت میں ای اٹھوڑی سیل اولیا کر ملتی ہے اس کے ہم قائل ہیں۔ ”

(We condemn the claim of prophethood . We believe in the unity of Allah, and that there is no God except Allah and that Muhammad (P.B.H.) is his Prophet. We also believe in the finality of his prophethood. We do not believe in the prophetic revelation (وحیت سبقت) but we believe in the saintly revelation (ولایت) which is achieved by the saints under the shadow of the Holy Prophet Muhammad (P.B.H.) and by obedience to him).

The word seal (خاتم) which was given a different meaning after his claim to prophethood was used in Izala-i-Auham, page 577 in the same sense as stated above. Mirza Sahib negated the prophetic revelation after the Holy Prophet (P.B.H.).

In 'Jang-e-Muqaddas' (جنگ مقدس) published 1893) page 67, Mirza Sahib refuted the allegation that he was claiming to be a Prophet and explained Muajiza (miracle). He said :

” میرا نبوت کا کرنی دعویٰ نہیں ، یہ آپ کی غلطی ہے یا آپ کسی خیال سے کہ ہے ہیں ۔ کیا یہ ضروری ہے کہ جو الہام کا دعوئے کرے وہ نبی بھی ہو جائے ۔ میں تو محمدی اور کامل طور پر اللہ اور رسول کا میبع ہوں اور ان نثاریوں کا نام معجزہ دکھنا نہیں چاہتا بلکہ ہمارے مذہب کی رو سے ان کا نام کرامات ہے جو اللہ کے رسول کی پریوری سے ہی ہجاتی ہیں ۔ ”

(I have no claim to prophethood. This is your mistake or you are saying this for some motive. Is it necessary that whoever lays claim to Ilham (inspiration) may also become a Prophet? I am completely a Muhammadi and a follower of Allah and his Prophet (P.B.H.). I do not want to call these signs as Muajiza (معجزہ) (miracles). According to our religion the name of these signs is Karamaat (کرامات) (supernatural acts performed by a saint) which are conferred upon me by my following the Prophet (P.B.H) of Allah).

Sometime before his claim to Prophethood Mirza Sahib started using about himself the word Nabi (Prophet) more frequently. He was quick to explain this also in his own way in order to resolve the excitement, hostility and un-easiness of the Muslims. He said in Siraj-e-Munir (سراج منیر) page 3 that –

یہ سچ ہے کہ وہ الہام جو خدا نے اس بندے پر نازل فرمادیا ، اس میں اس بندے کی نسبت نبی اور رسول اور مرسل کے لفظ بکثرت موجود ہیں ۔ سو یہ حقیقی معجزہ پر محروم نہیں ہیں ۔ وَ لِکُلِّ آنَتِ يَضْطَبِعُ (ہر ایک کو اصطلاح بنانے کا حق ہے) ، سو خدا کی یہ اصطلاح ہے جو اس نے ایسے لفظ استعمال کیے ہے اس بات کے قائل اور معرفت ہیں کہ نبوت کے حقیقی معجزوں کی رو سے بعد آنحضرت صل اللہ علیہ وسلم نہ کرنی نیا نبی آ سکتا ہے اور نہ پڑانا ۔ قرآن ایسے نبیوں کے ظہور

سے اُنھے مگر مجازی معنوں کی رو سے خدا کا اختیار ہے کہ کبھی مُلْحَم کو نبی کے لفظ سے یا رسول کے لفظ سے یاد کرے۔

(It is correct that in the revelations revealed by Allah on this servant (me) the words Nabi, Rasool and Mursal (Prophet or Messenger of Allah) had been used for him. But these words had not been used in their literal sense 'بَلْ كُلُّ اَنْ يَصْطَلِعُ' (every one has his own terminology). This is the terminology of Allah who used such words. We believe and acknowledge that neither a new nor old Prophet can come after the Holy Prophet (P.B.H.) in the true sense of the word Prophethood (the word old Prophet refers to the second coming of Jesus). Quran is opposed to the coming of such Prophet but in its allegorical sense it is for Allah to call any Mulham (مُلْحَمٌ) (who receives inspiration which Mirza Sahib called revelation) by the name of Prophet or Messenger).

(مُلْحَمٌ قَادِيَات) In a letter published in 'Lecture-e-Quadian' No. 29, Vol. 3, dated the 17th August, 1899, Mirza Sahib said:

حال یہ ہے کہ اگرچہ عرصہ سبیں سال سے متواتر اس عاجز کو اسلام ہوا ہے۔ اکثر دفعہ ان میں رسول یا نبی کا لفظ آگیا ہے۔ لیکن وہ شخص غلطی کرتا ہے جو یہ سمجھتا ہے کہ اس نسبت اور سالت سے مرا حقیقی نسبت و ریالت ہے..... سو چونکہ ایسے لفظوں سے جو شخص استعمال کے رنگ ہیں ہیں، اسلام میں فتنہ پڑھے اور اس کا تیجہ سخت بد نکھلاتا ہے، اس لیے اپنی جماعت کی معمولی بول چال اور دن رات کے محادوڑا میں یہ لفظ نہیں آنے چاہیں۔

(The correct position is that although for the last 20 years this humble (person) has been receiving Ilham (inspiration) in which the word Rasool or Nabi (Messenger or Prophet of Allah) has been used but he commits a mistake to understand it in the sense of true Prophethood or Messengership it is likely that the allegorical use of such words may be a source of mischief in Islam and its result may be untoward. These words should not be used in the ordinary daily talk of the members of his organization).

It has been already stated that Mirza Sahib said in Tauzih-ul-Maram that the door of partial Prophethood and of revelation was

not closed and that Mohaddas (one who communicates with and is addressed by God) is partial Prophet.

In Izala-e-Auham (page 138) he called those persons unbelievers who considered it possible that any revelation amending or abrogating an Injunction of the Quran may be received after the Holy Prophet (P.B.H.). Thus leaving the door of non Sharia prophethood open. But in the same book at pages 534 he held the revelation of Nubuwwat impossible and at page 761 he held the door of revelation of Risalat (رسالت) (Messengership) to be closed. This only proves that if Mirza Sahib went a step forward to say something contrary to the faith of the Muslims he took on sensing opposition two steps back to convince them that his faith was the same as their faith. Something contrary was said to serve as a stepping stone for improving and developing his claims in future and then the Muslims faith was reiterated repeatedly as a face saving device. First Mohadassiyat was nearer prophethood, then it became partial prophethood and then again the seal of prophethood was held to be unbreakable. The door of prophethood was earlier closed. The same theme is then gradually developed till his followers are ready for the next claim.

The evolution of the theory and scope of Mohadassiyat may now be examined in the words of Mirza Sahib. In an agreement dated 3rd February, 1892 between Molvi Abdul Hakim and Mirza Sahib which is published in Tableegh-e-Risalat, Vol. 2, page 95, Mirza Sahib wrote addressing all the Muslims that it was recorded in his pamphlets Fath-ul-Islam (فتح الاسلام), Tauzih-ul-Maram (توضیح المرام) Izala-i-Auham (ازالۃ اوہم) that Mohaddas in a sense is a Prophet and that Mohaddasiyat (محادثیت) is partial prophethood or imperfect prophethood (شوبت ناقصہ). "It may be made clear that all these words have not been used in their true sense; they have been used in their simple dictionary meaning, otherwise by God I do not have a claim to the real prophethood. I have already described in Izala-i-Auham (ازالۃ اوہم) (page 137) that I believe in the finality of prophethood of Muhammad (P.B.H.). I will like to make it clear to the Muslim brethren that if they resent such words and dislike their use they may consider them changed on my behalf and substitute the word

Mohaddas for them. Wherever the word Nabi (Prophet) has been used it should be treated as deleted and substituted by the word Mohaddas".

In 'Hammamatul Bushra' (حمامۃ البشری) page 96, while refuting the claim of prophethood he asserted :

میں نے لوگوں سے سچے اس کے جوئی نے اپنی کتابوں میں لکھا ہے، اور کچھ نہیں کہا
کہ میں حدیث ہوں اور اللہ تعالیٰ مجھ سے اسی طرح کلام کرتا ہے جس طرح محدثین سے۔“

(I never said to any person except what I stated in my books that I am a Mohaddas (محدث) and Allah talks to me in the same manner as he talks to other Mohaddaseen (محدثین). Also see Aina-i-Kamalat-i-Islam (published 1893) page 316; Silsila-e-Tasaneef, Vol. 5, page 2082.

At page 99 of Hammamatul Bushra he said "it is correct that I have said that part of Nubuwwat will be found in Tahdees (act of being a Mohaddas) but this is not a part in fact (بالفعل) but is so virtually (بالعتقة) and if the door of prophethood had not been closed he would have been a Prophet in fact (بالفعل). It is, therefore, permissible to call him Al Nabiyyul Mohaddas or the Mohaddas Prophet". And after opening the door of prophethood he attained for himself full prophethood.

The claim of Messiah similarly underwent an evolutionary process.

Mirza Sahib wrote in Baraheen-i-Ahmadiyya that he was a model of Messiah's earlier life and the nature of the two resembled one another. Since Mirza Sahib completely resembled Messiah, God had included him also in the prophecy about Messiah. It was said that Messiah will come to the world and spread Islam every where. This would be a physical appearance but Mirza Sahib was the object of the prophecy in the spiritual sense (page 499). According to this theory Jesus son of Mary must appear but Mirza Sahib would spiritually be his second or double which be called Maseel "مشیل" (see Fath-e-Islam page 11).

In Fath-e-Islam (page 11) it was stated that Mirza Sahib descended in the age which resembled the age of advent of Jesus. He declared that Allah sent the Maseel of Messiah to impart the knowledge of faith to the people. Then he said a different thing in unambiguous terms, that "*He is the Messiah who had to come. If you like accept him*" (page 15).

This claim shook the Muslims badly. There was considerable opposition and he was declared an unbeliever (see Aasmani Faisala). Mirza Sahib, as was his wont immediately retraced his steps and confined his claim to being a Maseel. (Tauzih-ul-Maram, pages 16 to 21).

He said that he had no claim to be Jesus son of Mary nor did he believe in the transmigration of soul. He only claimed to be Maseel (second) of Messiah. Just as Mohaddasiyat resembles Nubuwwat, in the same manner his spiritual state resembled the spiritual condition of Messiah. (Tableegh-e-Risalat, Vol. 2, page 21). Contrary to his claim that he is the Messiah who had to come he said that may be no other Messiah may come in future. May be 10,000 other Messiah may come and may be one of them may descend in Damascus (Izala-i-Auham, page 296) or ten thousand Maseel (second) may come. But he added that he was the Maseel of this age and it was futile to wait for the other (ibid, page 199). Later he tore the mask and said that no Mehdi will come after me till the day of Judgment nor will come any Messiah. . . . I am he who had to come (Pamphlet dated 5th April, 1905, Tableegh-i-Risalat Vol. 10 page 78).

This is the same strategy which frequents the books of Mirza Sahib. He says several contradictory things at one time so as to take shelter behind what suits him at a particular time. Thus he wrote an inspiration in Izala-i-Auham (page 634) "اتجعلتَ المُسَيْعَ" (We made you Messiah son of Mary) and referred to this inspiration in Arbaeen in support of his assertion that he was the Promised Messiah (see No. 3, page 44).

In "Nishan-e-Asmani" (page 35) which was published in 1892, Mirza Sahib published the so called evidence of one of his

followers that he was informed by some Gulab Shah that he (Mirza Sahib) was Maseeh-i-Maud whose advent was promised and whose name was written in the books as Eisa (Jesus) and (at page 36) name of Eisa who had to come was Ghulam Ahmad.

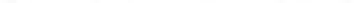
Mirza Sahib had said this as far back as 1884 in Baraheen-i-Ahmadiyya that the spirit of Jesus was blown in him like Mary and he was declared pregnant for about 10 months then was made Jesus from Mary and became son of Mary. It is possible that at that time he might have thought it premature to tell his theory about the death of Jesus or possibly the theory had not been developed by that time. However, his intention to be Jesus, the Promised Messiah is very clear and it was articulated as a fact later for example in Arbaeen, Aik Ghalati Ka Izala and Kashti-e-Nuh. In Arbaeen (published 1900) Mirza Sahib wrote (No. 1, page 4) that he had been informed by God that he was the Promised Messiah and Mehdi on His behalf. This point has been repeated at various places in the book. In Aik Ghalati Ka Izala, page 3, he said categorically that he was the Promised Messiah. It is not understandable how could he be one of ten thousand Maseel or one of the same number of Messiahs. The point about Maseel was taken only to appease public opinion. At page 47 of Kashti-e-Nuh he wrote that he did not realise the significance of this inspiration (about Jesus and Mary) but then the time came and the secrets were disclosed to him and then he found that there was nothing new in this claim of being the Promised Messiah. This was the same claim which was written several times clearly in Baraheen-i-Ahmadiyya.

It is further stated that God said about him that He would make him a sign and in the revealed writings the names of Mary and Jesus were used for him. It was said about him that God shall make him a sign. It was also said that he was the same Jesus son of Mary who had to come. He is the truth and he is the Promised one (ibid page 48).

Mirza Sahib laid claim to Prophethood after some further build up of his following in the year 1901. As stated above he had already been preparing the Muslim public for his claim of Prophethood since the publication of Baraheen-i-Ahmadiyya, Vol. 3 and 4.

The Muslim community of Punjab and then of the Indian Sub-continent had long anticipated this claim. The members of the family of Mirza Sahib had started calling him an imposter several years before his claim of being the Promised Messiah and the Promised Mehdi. The claim to prophethood was first made in the pamphlet 'Aik Ghalati Ka Izala' (published with the opening of the 20th century in 1901).

Before the actual claim, as already seen Mirza Sahib tried to refer to the alleged revelations about Prophethood but tried to mask those references by the assertion that the word Rasool (Messenger) or Nabi (Prophet) for him had been used in a metaphorical sense and not in the real sense. In Arbaeen (published in 1900 No. 2, page 18) he referred to what had already been said in Baraheen-e-Ahmadiyya "This is Rasool (Messenger) of God in the vestments of the Prophets". In the margin he said that this word had been used only metaphorically. At page 44 of Arbaeen (No.3) he wrote : "God is He who sent his Rasool (Messenger) meaning this humble self with guidance in religion and reform of morals. He was asked to inform (his opponents) that if he was an inventor of lies he would perish as it was a crime.

In support of this theory of destruction of liar he relied upon
Q 40 : 28 (No. 3, page 5) 

وَإِنْ يَكُنْ كَذِبًا فَعَلَيْهِ كَذِبَةٌ

(If he is lying, then his lie is upon him). Mirza Sahib translated first portion of the verse as meaning اگر نبی حجت ہے تو اپنے جبوت سے باک ہر جانے گا - (If this Prophet is false he would perish by his falsehood).

This translation is not correct. On the other hand the established principle is that such a person is given a long rope and this principle was referred to by Molvi Sanaullah Amritsari when Mirza Sahib predicted the death of whoever was false or wrong among them, ruling that such a person must perish.

At page 7 of Arbaeen No. 4 Mirza Sahib advanced a step further and claimed to be a Prophet with Sharia. This he did by introducing some changes in the definition of Prophet with Sharia. The earlier definition of such a Prophet was that he brings new

Sharia or amends the earlier Sharia. He now defined Sharia as something "which described some Injunctions (امر) and prohibitions (نهي) through the revelation and prescribed a law for his Ummah. Such a person is a man with Sharia (صاحب شریعت). From the point of view of this definition also our opponents are accused persons (subject to blame) because in my revelation there are Injunctions (امر) as well as prohibitions (نهي). The revelation written in Baraheen-i-Ahmadiyya i.e.

قُلْ لِلْمُؤْمِنِينَ يَعْصُمُونَ مِنْ أَبْصَارِهِمْ وَيَخْفِظُوا مِنْ حَجَّهُمْ ذَلِكَ أَنَّكُمْ لَهُمْ لِنَعْلَمُ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ

Tell the believing men to lower their gaze and be modest. That is purer for them. Lo ! Allah is Aware of what they do.

consists of Injunctions as well as prohibitions and this was received by me twenty-three years ago. In my revelations there are Injunctions and prohibitions till today. *Now if you say that Sharia means only that Sharia in which there are new Injunctions then this is absolutely incorrect*". This was a new theory and a new definition of Sharia introduced to buttress his claim to Prophethood with Sharia.

In Al-Malfuzat, Vol. 10 (pertaining to the period November 1907 to 6th July, 1908, at page 267) he said in reply to a question that whatever communication from God was received by him should not be taken to mean that it was a new Sharia or that it was a new Nubuwwat (Prophethood) or a Nubuwwat (Prophethood) with Sharia. But he had been called a Nabi (Prophet) on account of frequency of communication from God and according to the dictionary the meaning of Nabi (Prophet) is 'a person who gives news'.

Here again distinction was made between Nubuwwat (Prophethood) with Sharia and one without Sharia. This assertion is again contradictory to the definition stated in Arbaeen (No. 4 page 7).

In the pamphlet 'Aik Ghalati Ka Izala' he said that wherever he had denied about Nubuwwat (Prophethood) or Risalat (apostleship), it was in the sense that he had not brought with him a

permanent Sharia nor he was a permanent Nabi (Prophet). This assertion is, however, contradicted by the abrogation of Jihad about which there are specific Injunctions in the Holy Quran and the Sunnah of the Holy Prophet (P.B.H.).

In Dafi-ul-Bala published in 1901, Mirza Sahib wrote that true God is He who sent His Rasool (Messenger) in Quadian (page 11). In 'Haqiqat-ul-Wahi' page 391, he wrote that he was exclusively chosen from the Ummah to receive the divine revelation and secret knowledge in abundance and this blessing was not conferred upon different degrees of saints, Aulia (اولیاء), Abdal (ابدال) and Autar (اوْتَار) before him. For this reason he had been specified for being named as Nabi (Prophet). All other people were not entitled to this name because in them was not found primary conditions of their being recipients of the revelation and the secret knowledge in abundance.

The order of Jihad was abrogated in 1900. It is stated in Arbaeen (no. 4), page 15, that "the Promised Messiah is the manifestation of the Holy Prophet (P.B.H.) in amiability. For this reason it was said "يُضْعِفُ الْحَرْب" (he will eliminate war or will not go to war). In Majmua-e-Ishlaharaat (Vol. 3 from 1898 to 1908), page 19, Mirza Sahib wrote that "as my followers increase those who believe in the principle of Jihad shall go on decreasing because to accept me as Messiah and Mehdi amounts to denying the principle of Jihad". This amounted to the abolition of Jihad. In 'Jihad and Government-e-Angrezi', page 14, he wrote "look! I have come to you with an Injunction which is to the effect that from now onwards there is an end to the Jihad by sword. The only Jihad which remains is that of purification of oneself" (also see Khutba-e-Ihamia, page 29; Tuhfa-e-Gulrivia (supplement), page 41; Tajalliat-e-Ilahia, page 4; Taryaqul-Qulub, page 332).

Mirza Sahib's definition of a Nabi (Prophet) has already been quoted from Arbaeen (No. 4), page 7. That book was written in 1900. It also includes the orders about the prohibition of Jihad as already stated. It would clearly follow that the right to abrogate Jihad which is based on Quranic Injunctions was exercised by Mirza Sahib as an alleged Nabi (Prophet). In this way he undertook

the task of completely abrogating the alleged Sharia and achieving what he called Nubuwwat-e-Tammah (perfect Prophethood). This point about perfect Prophethood was discussed by Mirza Bashir Ahmad in Kalimat-ul-Fasl, pages 112-113. He discussed the three categories of Prophethood : (1) the real Prophethood in which the Prophet brought Sharia; (2) the Prophethood in which no Sharia was brought by the Prophet; and (3) the shadowy (Zilli) Nubuwwat which according to the Quadiani view is achieved by strict obedience to the Holy Prophet (P.B.H.). Referring to the objection that the Zilli Prophethood is an inferior type of Prophethood, Mirza Bashir Ahmad called it a self deception which had no reality because it was an essential ingredient of Zilli Prophethood that a man should sink himself to such an extent in the obedience of the Holy Prophet (P.B.H.) that he may reach the stage "I have become you and you have become I". In such circumstances he will find descending in himself in the form of a reflected image, all the perfections of the Holy Prophet (P.B.H.), and the two will come so near to each other that cover sheet of the Prophethood of the Holy Prophet (P.B.H.) will be spread on him, he may then be called a Zilli Prophet. So when this is the demand or requirement of the Zill (shadow or reflected image) that he should be a complete picture of the original and there is consensus of all the Prophets on this point that fool who considers the Zilli Prophethood of the Promised Messiah as inferior and imperfect should come to his senses and be worried about his Islam because he attacks the glory of that Prophethood which is the best of all Prophethoods. I cannot understand why people stumble on the Prophethood of the Promised Messiah and why some people think it to be imperfect because as I see he was a Zilli Prophet on account of re-appearance (Buruz) of the Holy Prophet and the status and position of such Prophethood is very high. It is clear that in old ages it was not required of the Prophets to have all those perfections which were the peculiarity of the Holy Prophet (P.B.H.). On the other hand each Prophet received the share of perfection according to his talent and worth, some got much and some little, but the Promised Messiah was conferred prophethood only when he had attained all the perfections of the Holy Prophet (P.B.H.)."

It has been noticed that one of the grounds for denying the second advent of Jesus son of Mary was that he was a Prophet

while prophethood had come to an end thirteen hundred years ago. Mirza Sahib could not let this principle be free of equivocation. In Izala-e-Auham (pages 409-10) he said that it was true that the coming Messiah had been described as Prophet within the Ummah of the Holy Prophet but this prophethood would be imperfect prophethood. This was later developed by Mirza Sahib into perfect prophethood, Tashreii prophethood and prophethood superior to that of other Prophets.

Mirza Sahib in no uncertain terms said that the door of coming of Gabriel in connection with revelation was closed (Izala-e-Auham, page 761). But this did not thwart his design, or programme. He frustrated the need of Gabriel by claiming to be in direct communion and communication with God and to be His addressee. But even this was not a satisfactory arrangement and did not bring him to the level of perfect Prophets. He therefore claimed that Gabriel came to him. In Haqiqat-ul-Wahi (page 103) Mirza Sahib said :

”وَقَالُوا إِنَّا لَكُم مَّا تَرَكْتُمْ ، قَدْ هُوَ اللَّهُ عَجِيبٌ ، جَاءَنِي أَيْلُ
وَأَخْتَارَ وَادِارَ أَصْبِعَهُ وَأَشَارَاتَ وَعَدَ اللَّهُ أَنْتَ فَطَرَوْنَ
لَمْنَ وَرَجَدَ وَرَأَى الْأَمْرَاضَ تَشَاعَ وَالنَّفَرُوْسَ تَضَاعَ - ”

The English translation of its urdu rendering by Mirza Sahib is as follows :—

“And they will say from where did you acquire this position. Say that God has so many wonders. Aeel came to me and he selected me and he moved his finger and pointed out the Promise of God has arrived. Blessed is he who receives it and looks at it. Various diseases will be spread and many calamities will cause loss of life.

Aeel was explained by Mirza Sahib in the margin as meaning Gabriel.

The coming of Gabriel is a sign of the perfection in prophethood and this makes Mirza Sahib, a perfect prophet.

These paragraphs clearly established that Mirza Sahib was not considered as an imperfect Prophet, on the other hand he was considered a perfect Prophet like the Holy Prophet (P.B.H.). This is also proved by the fact that Mirza Sahib was considered to be higher in status than all other Prophets.

The equality or even superiority of Mirza Sahib can be traced to what he said about himself in Baraheen-i-Ahmadiyya, Vol. 4. He referred to different alleged revelations in which the names of Abraham, David, Joseph, Jesus, etc, had come and after reproducing each of them he wrote that he was meant wherever the reference was to these Prophets (see pages 555, 557).

In Malfuzat-e-Ahmadiyya, Vol. 4, page 142, it is said that Mirza Sahib said in respect of the perfection of the Prophets "different categories of perfection were found in other Prophets, but our Prophet (P.B.H.) excelled all of them in this respect. The Holy Prophet (P.B.H.) has now conferred all those perfections in a Zilli manner (manner of reflection) upon us (it may mean that all those perfections are reflected in Mirza Sahib) for this reason our name is Adam, Abraham, Moses, Noah, David, Joseph, Solomon, John the Baptist (Yahya) and Jesus."

At an other place he said 'previously all the Prophets were shadows of the main qualities of the Holy Prophet (P.B.H.) now we are the Zil (reflection) of all the qualities of the Holy Prophet (P.B.H.)"

There is no difference between Zil (reflection) and the original self. Practically one is the second or the double of the other. This is also established from the claim of Mirza Sahib that he was the Zil of the Holy Prophet (P.B.H.) in all his perfections while each of the other Prophets was the recipient of lesser number of perfections. It is clear that according to Mirza Sahib in matters of perfection or superiority he was equal to the Holy Prophet (P.B.H) and much superior to the other Prophets.

In Baraheen-i-Ahmadiyya there are a number of revelations in the form of verses of the Holy Quran which were revealed in respect of the Holy Prophet (P.B.H.), Mirza Sahib claimed that

all these verses had been revealed in his respect also and he was the object of those verses. An evident example of it is verse 48 : 28 " هُوَ الْكَبِيرُ أَمْ سَكَنَ رَسُولَكُمْ بِالْفُدُنِ وَدَفِنَ الْحَقَّ " Some other examples are Q.8 : 17 ; Q.68 : 2 ; Q.3 : 31 ; Q.26 : 62 etc. He had, therefore, laid the foundation of his being equal to the Holy Prophet (P.B.H.) in Baraheen-i-Ahmadiyya.

He claimed to have received revelations numbering three hundred thousands out of which fifty thousands were about receipt of money from different sources. At various other places Mirza Sahib tried to demonstrate that the signs received by him were much in excess than the signs given to other Prophets like Noah, Joseph and Jesus.

In Kalimatul Fasal (Review of religions No. 3, Vol. 14, page 147) Mirza Bashir Ahmad said that it is not possible that one who denies the Holy Prophet (P.B.H.) may be an un-believer but a person denying the Promised Messiah may not be an infidel. If the denial of the first Advent be dis-believed the denial of the second Advent in which according to the Promised Messiah his spirituality was stronger, more perfect and more complete must not be treated as infidelity.

The second Advent is the Prophethood of Mirza Sahib. While comparing the spirituality of the Holy Prophet (P.B.H.) and that of Mirza Sahib it is said that it is stronger, more perfect and more complete which is a measure of his superiority over the Holy Prophet (P.B.H.) too. This is proved by an episode which happened during the life time of Mirza Sahib. One Qazi Akmal a Poet who was the follower of Mirza Sahib, wrote panegyrical poetry for Mirza Sahib which was published in Newspaper 'Al-Badar' of Quadian, dated the 25th October, 1902. One of the couplets of the poetry was

محمد پھر اتر آتے ہیں ہم سے میں اور آگے ہیں جو کہ اپنی شان میں

(Muhammad has descended again amongst us and excels more in his eminence and glory) (see pagham-e-Suleh, Lahore No. 47, Vol. 32, dated the 30th November, 1944 ; Quadiani Mazhab, pages 260-261).

The reference to the second Advent of Muhammad in this couplet means that Muhammad has re-appeared in the form of Mirza Sahib and his pomp and glory exceeds the eminence of the Holy Prophet (P.B.H.) (Khutba-e-Ihamia).

The next step is that of claiming finality of Prophethood for himself this will be evident from the following :

“The real worth of the finality of Prophethood of Muhammad (P.B.H.) (ﷺ) cannot be appreciated by any one except one who like the last of the Prophets (ﷺ) because the appreciation of reality in any thing depends upon one to whom it belongs. This is a proved fact that finality belongs either to the Holy Prophet (P.B.H.) or the promised Messiah. Tashheez-ul-Azhan Quadian, No. 8, Vol. 12, 1st and 2nd August, 1917; Quadiani Mazhab, page 167”

In short I am the only person in this Ummah who on account of abundance of revelations and knowledge of hidden matters has been specified (for Prophethood). None of the Saints whether Qutab or Abdal (mendicant of the highest religious order) of this Ummah was given such a high share of (divine) grace, only I have been particularised to bear the name of 'Prophet', others are not entitled to this name because of the pre-condition of copious revelations and abundant knowledge of hidden matters which none of them fulfils. And it was necessary that it should have so happened. This was the only way for fulfilment of the prophecy of the Holy Prophet (P.B.H.). If other righteous persons who have been before me had shared in such abundance divine communication, address and (knowledge of) hidden matters, they would have been qualified to be called Prophets. In that situation the prophecy of the Holy Prophet (P.B.H.) would have received a crack. For this reason the divine had prevented those righteous and virtuous persons from being the absolute recipient of this graciousness so that as is mentioned in the authenticated traditions there would be only one such person (ایں شخص ایک ہی ہو گا - Haqiqat-ul-Wahi, Page 391).

This passage reflects the view of Mirza Sahib about his being the only Prophet after Muhammad (P.B.H.) who being the mani-

festation of Muhammad (P.B.H.) is entitled to that name. It would, therefore, follow that he and not the Holy Prophet (P.B.H) is the last of the Prophet. This would be more evident from the following citations :

“I have stated many a times that by virtue of the verse Q.62 : 3 وَآخَرُونَ مِنْهُمْ لَمَّا يَلْحِقُوا بِهِ (alongwith others of them who have not yet joined them), I am the same Khatam-ul-Ambiya (last of the Prophets) by way of buruz (manifestation)” (Aik Ghalati Ka Izala, page 5).

“I am the final means of access out of the passage (leading to God, I am the last light out of His lights” (Kashti-e-Nuh, page 56).

“**وَلَكِنْ رَسُولَ اللَّهِ وَخَاتَمُ النَّبِيِّنَ** (But he is the messenger of Allah and the last of the Prophets). There is a secret prediction in this verse that Prophethood has been sealed till the day of judgment except the Buruzy person which is the personality of the Holy Prophet (P.B.H.) himself; no one is capable of receiving openly from God knowledge of the hidden things (**أَمْوَالُ غَيْبِيَّنَ**) like the Prophets. Since I am that manifestation of Muhammad (Buruz-e-Muhammadi (**بَرُوزِيْنَ مُحَمَّدِيْنَ**) the Prophethood in the Buruzy way (by way of incarnation) was conferred upon me. Now the whole world is powerless before this Prophethood because there is a seal on it. *One incarnation of Muhammad (P.B.H.) with all the perfections of Muhammad (P.B.H.) was destined to appear ultimately and he has now appeared*”. Aik Ghalati Ka Izala).

“Let it be known that finality was given from eternity to Muhammad (P.B.H.). It was then conferred upon one to whom his spirit imparted knowledge and made his shadow” (Mal Farqu fi Adamawal Maseeh-il-Mauood, Zameema Khutba-i-Ilhamia page B (ب)

It was destined by God for the ultimate period that it will be a period of return (**رَجْتَ**) so that this Ummah may not in

any manner, be inferior to other Ummahs. So after creating me He made me the likeness of all past Prophets and gave me their names. I was thus named in Baraheen-e-Ahmadiyya as Adam, Abraham, Moses, Noah, David, Soloman, Joseph, John the Baptist, Jesus etc. as if in this manner all the old Prophets were reborn in this Ummah till *finally* was born the Messiah. All my opponents were named Jesus, Christians and polytheists (Nuzul ul Maseeh page 4; Kalimat ul Fasl page 133).

These writings were explained by the successors of Mirza Sahib. Mirza Bashir Ahmad said in Kalimat ul Fasl (page 116) that "the appearance of a number of Prophets after him (the holy Prophet) means that the status of the Holy Prophet, God forbid is so ordinary that many a persons can be Muhammad the messenger of Allah because whoever is a holder of shadowy prophethood will be known as Muhammad messenger of Allah on account of all attainment of the perfections of the Holy Prophet. *For this reason only one person attained the position of Prophet."*

This clinches the matter. All the theories for opening the door of Prophethood were only for the sake of Mirza Sahib alone. The argument which was good against opening the entrance of prophethood was ultimately adopted but after merely an exception in favour of Mirza Sahib.

"In Ejazul Massiah it is clarified that there will be two advents of the Holy Prophet. The first advent was the manifestation of the name of Muhammad while the second advent (advent of Mirza Sahib as buruz) is for the manifestation of the name, Ahmad" (Kalimat ul Fasl page 140). A third advent was thus negated.

In Tashhizul Azhan of Qadian (No. 8 Vol. 12 page 11 dated August, 1917), it was stated that only one Prophet was named after the Holy Prophet and the advent of many Prophets amounts to making holes in God's government and Prudence (Qaudiani Mazhab page 196).

It was further stated in the same journal of March 1914 (No. 3, Vol. 9 pages 30-32).

"It is therefore proved that no more that one Prophet can come from the Ummah of the Holy Prophet. For this reason he gave the news of the advent of one Prophet of God from his Ummah. He is the Promised Messiah. Except for him no one was named the Prophet or messenger of God" nor information was given of the advent of any other Prophet. On the other hand the advent of others was negated by saying 'لَا نَبْغَتْ بَعْدِي' (there will be no Prophet after me) and by describing openly that no Prophet or messenger can come after me." (Qaudiani Mazhab, page 197).

Now compare these assertions of Mirza Sahib and his successors with some contradictory dicta.

In Aik Ghalati Ka Izala (page 7) Mirza Sahib said that though the seal of prophethood shall not be broken but it is possible that the Holy Prophet may come in this world in the buruzy manner (as incarnate) not only once but a thousand times and may manifest his prophethood and perfections as incarnate.

In lecture Sialkot page 22 Mirza Sahib said that it is necessary that to take you to the stage of love and certainty the Prophets of God may continue coming."

Mian Bashir-ud-Din Mahmud said that thousands of Prophets could come (Anwar-e-Khalafat page 62, c f Qaudiani Mazhab page 180).

They will continue coming till the day of judgment (Alfazal Quadian dated 27th February, 1927 No.68 Vol. 14 Mirza Bashir ud-Din Mahmud c f Qaudiani Mazhab, page 181).

In Haqiqat - ul - Nabuwwat page 138 he said something different. He said, "for this reason we believe in one Prophet only in this Ummah. The future is (concealed) behind the curtain of mysteries (Qaudiani Mazhab, page 179).

Answering some questions he wrote that the fourth question was whether any other Prophet shall come after Mirza Sahib and

whether the Ahmadis shall believe in him when he comes. The answer to this question is that "a Prophet can come after Mirza Sahib but I cannot say with certainty whether such a Prophet shall come. It appears from the books of the Promised Messiah that such a Prophet will come. When he comes it will be necessary for the Ahmadis to believe in him (Maktub Mian Bashir-ud-Din Mahmud Ahmad printed in Alfazal Qaudian dated 29th April, 1927, No. 85 Vol. 14 Cf Qaudian Mazhab page 179).

A further alteration in the theory of advent of Prophets is visible from his answer to the question whether there was a possibility of advent of a Prophet after the Promised Messiah? and if so what was meant by calling Mirza Sahib as the Prophet of the last age. He said that the expression "Prophet of the last age" is a technical phrase which meant that no one could attain prophethood except through him (Mirza Sahib) (Friday address of Mian Bashir-ud-Din Mahmood Ahmad printed in Al fazal No. 120, Vol. 2 dated 2nd May, 1931 c f Quadiani Mazhab page 180).

All these different statements of Mirza Sahib or his successor are in line with the policy of Mirza Sahib to say simultaneously in the same book, or pamphlet or successively in successive books or pamphlets different and even contradictory things. However the quotations from the books of Mirza Sahib and from Kalimat-ul-Fasl and Tashheez ul Azhan established that Mirza Sahib virtually claimed to be the last of the Prophets.

Allama Iqbal's discussions of this subject throw more light on these theories. He said (see Thoughts and Reflections of Iqbal by Abdul-Waheed pages 266-268).

"The founder's own argument, quite worthy of a mediaeval theologian, is that the spirituality of the Holy Prophet of Islam must be regarded as imperfect if it is not creative of another Prophet. He claims his own prophethood to be an evidence of the Prophet-rearing power of the spirituality of the Holy Prophet of Islam. But if you further ask him whether the spirituality of Muhammad is capable of rearing more Prophets than one, his answer is "No". This virtually

amounts to saying: Muhammad is not the last Prophet; I am the last." Far from understanding the cultural value of the Islamic idea of Finality in the history of mankind generally and of Asia especially, he thinks that Finality in the sense that no follower of Muhammad can ever reach the status of prophethood is a mark of imperfection in Muhammad's prophethood. As I read the psychology of his mind he, in the interests of his own claim to prophethood, avails himself of what he describes as the creative spirituality of the Holy Prophet of Islam and at the same time deprives the Holy Prophet of his Finality by limiting the creative capacity of his spirituality to the rearing of only one Prophet, i.e. the founder of the Ahmadiyya movement. In this way does the new prophet quietly steal away the Finality of one whom he claims to be his spiritual progenitor.

He claims to be buruz of the Holy Prophet of Islam, insinuating thereby that being a buruz of his, does not violate the Finality of the Holy Prophet. In identifying the two finalities, his own and that of the Holy Prophet, he conveniently loses sight of the temporal meaning of the idea of finality. It is, however, obvious that the word buruz in the sense even of complete likeness, cannot help him at all; for the buruz becomes identical with the original. This if we take the argument remains ineffective : if, on the other hand, we take it to mean reincarnation of the original in the Aryan sense of the word, the argument becomes plausible; but its author turns out to be only a Magian in disguise.

It will be noticed that there is no sharia principle allowing the advent of a Prophet after the Holy Prophet. There is no concept in Sharia of buruz, hulul, Zil etc. The traditions regarding the second coming of Messiah and advent of Mehdi can by no stretch of imagination apply to Mirza Sahib. He therefore raised the whole superstructure of his claims on Taaweeel not only of Quranic text but of traditions too. Quadian became Damascus, Masjid-e-Aqsa is the mosque in Quadian. His main hurdle was to get rid of Jesus. It was necessary to remove Jesus from the field and this was secured by the theory of his natural death in Kashmir. He was asked to show the miracles shown by Jesus and in

answer he ridiculed the Jesus and his miraculous proofs. The claim of prophethood had to result in anomalies. These effects of his claims have been partly noticed. Some more anomalies may be seen. He prepared a dictum that he was only competent to interpret the Quran correctly and to verify the correctness of Hadees.

Let us understand the Muslim view about Jesus and Mirza Sahib's treatment of him.

To believe in all the Prophets and messengers of Allah is a part of the faith of a Muslim.

وَالَّذِينَ يُؤْمِنُونَ بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ
Q. 2 : 4 قَبْلِكَ وَبِالْآخِرَةِ هُنَّ مُعْتَدِلُونَ

And who believe in that which is revealed unto thee (Muhammad) and that which was revealed before thee, and are certain of the Hereafter.

Also see

Q. 2 : 177 مَنْءَامَنَ بِاللَّهِ وَالْيَوْمِ وَالنَّبِيِّنَ

(Believe in Allah and the messengers).

Q. 3 : 179 ; Q. 7 : 158 ; " فَامِنُوا بِاللَّهِ وَرُسُلِهِ " Q. 4 : 136

(Believe in Allah and His messengers)

Another principle which is established is that Muslims cannot distinguish between one Prophet and another.

Q. 2 : 285 لَا تُنَزِّلُ مِنْ رَسُولِهِ أَحَدٌ مِنْ أَهْلِهِ

It is not for the Muslims to distinguish between one Prophet and another.

It has been related on the authority of Abu Saeed Khudri that the Holy Prophet said لَا تُخِيِّرُوا بَيْنَ الْأَنْبِيَاءِ (Don't prefer in excellence one Prophet over the other).

It has been related by Abdullah bin-e-Jaafar that the Holy Prophet said :

مَا يَنْبَغِي لِرَبِّكَ أَنْ تَقُولَ إِنِّي خَيْرٌ مِنْ يُونُسَ بْنِ مَثْعُومٍ

(It is not lawful for any Prophet to say I am better than Jonah (يُونُس) Bin-e-Mata) (ibid).

It is reported on the authority of Abu Saeed Khudri that a Jew who had received beating from a companion of the Holy Prophet came to him (P.B.H.) and complained that one of his companions had beaten him. The Holy Prophet asked why he was beaten. He (the companion) said he (the jew) had excelled Moses over you. The Holy Prophet said "Do not give excellence or superiority to one Prophet over the other." (Musnad Ahmad Vol. 3, pages 40 and 41).

In Bokhari the stern reaction of the Holy Prophet to the complaint is proved by the words

فَفَضَبَ السَّبَبُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَتَّى تُرَوِيَ فِي وَجْهِهِ

(the Holy Prophet was so enraged that his anger was visible on his face).

The Holy Quran describes the birth of Mary her upbringing, the birth of John the Baptist as a herald of Jesus and the birth of Jesus in some detail. (See. Q. 3 : 45 to 49). The verses relating to the birth of Jesus are reproduced below :—

Q. 19 : 16 وَأَذْكُرْ فِي الْكِتَابِ مَرِيمَ إِذْ أَنْبَدَتْ مِنْ أَهْلِهَا مَكَانًا شَرِيقًا

And make mention of Mary in the Scripture, when she had

withdrawn from her people to a chamber looking East.

فَأَخْذَتْ مِنْ دُونِهِمْ حِجَابًا فَأَرْسَلْنَا إِلَيْهَا رُوحًا فَتَمَثَّلَ
Q. 19 : 17 لَهَا بَشَّرًا سَوِيًّا

And had chosen seclusion from them. Then We sent unto her Our spirit and it assumed for her the likeness of a perfect man.

Q. 19 : 18 قَالَتْ إِنِّي أَعُوذُ بِالرَّحْمَنِ مِنْكَ إِنْ كُنْتَ تَقِيًّا

She said: Lo ! I seek refuge in the Beneficent One from thee, if thou art God-fearing.

Q. 19 : 19 قَالَ إِنَّمَا أَنَا رَسُولٌ رَبِّكَ لَا هَبَّ لَكِ غُلَمًا زَكِيًّا

He said: I am only a messenger of the Lord, that I may bestow on thee a faultless son.

Q. 19 : 20 قَالَتْ أَنَّى يَكُونُ لِي غُلَمٌ وَلَمْ يَمْسَسْنِي بَشَرٌ وَلَمْ أَكُ بُغْيَيًا

She said: How can I have a son when no mortal hath touched me, neither have I been unchaste?

Q. 19 : 21 قَالَ كَذَلِكَ قَالَ رَبُّكُ مُوْعِلٌ هَمِينٌ وَلَنْ يَجْعَلَهُمْ أَيَّةً
لِلنَّاسِ وَرَحْمَةً مِنَا وَكَانَ أَمْرًا مَقْضِيًّا

He said: So (it will be). Thy Lord saith: It is easy for Me. And (it will be) that We may make of him a revelation for mankind and a mercy from Us, and it is a thing ordained.

فَحَمَلَتْهُ فَانْبَذَتْ بِهِ مَكَانًا فَصَبِيًّا
Q. 19 : 22

And she conceived him, and she withdrew with him to a far place.

فَأَجَاءَهَا الْمَخَاضُ إِلَى جَنْعِ النَّخْلَةِ قَالَتْ يَلَيْتَنِي مِثْ قَبْلَ
هَذَا وَكُنْتُ نَسِيًّا مَنْسِيًّا
Q. 19 : 23

And the pangs of Childbirth drove her unto the trunk of the palm tree. She said : Oh would that I had died ere this and had become a thing of naught, forgotten!

فَنَادَنَهَا مِنْ تَحْنِهَا أَلَا تَحْزِنِي قَدْ جَعَلَ رَبُّكَ تَحْنَكِ سَرِيًّا
Q. 19 : 24

Then (one) cried unto her from below her, saying : Grieve not! Thy Lord hath placed a rivulet beneath thee.

وَهُزِّ إِلَيْكَ بِمِنْجِنَعِ النَّخْلَةِ شَوْقَطْ عَلَيْكِ رُطْبَاجَنِيًّا
Q. 19 : 25

And shake the trunk of the palm-tree toward thee, thou wilt cause ripe dates to fall upon thee.

Q. 19 : 26

فَلْكِلِي وَأَشْرِيفَ وَقَرِي عَيْسَنَا فِي مَا تَرَيْنَ مِنَ الْبَشَرِ أَحَدًا فَقُولِي
إِنِّي نَذَرْتُ لِلرَّحْمَنِ صَوْمًا فَلَنْ أَكُلِمَ الْيَوْمَ إِنِّي

So eat and drink and be consoled. And if thou meetest any mortal, say : Lo! I have vowed a fast unto the Beneficent, and may not speak this day to any mortal.

Q. 19 : 27 فَأَتَتْهُ بِهِ قَوْمَهَا تَحْمِلْهُ قَالُوا يَمْرِيْمُ لَقَدْ جِئْتِ شَيْئًا فَرِيْئًا

Then she brought him to her own folk, carrying him. They said : O Mary ! Thou hast come with an amazing thing.

Q. 19 : 28 يَتَأْخَذَ هَنْدُونَ مَا كَانَ أَبُوكَ أَمْرَأَ سَوْءٌ وَمَا كَانَتْ أُمُّكَ بَفِيْئًا

Oh sister of Aaron! Thy father was not a wicked man nor was thy mother a harlot.

Q. 19 : 29 فَأَشَارَتْ إِلَيْهِ قَالُوا كَيْفَ تُكَلِّمُ مَنْ كَانَ فِي الْمَهْدِ صَبِيًّا

Then she pointed to him. They said : How can we talk to one who is in the cradle, a young boy?

Q. 19 : 30 قَالَ إِنِّيْ عَبْدُ اللَّهِ وَأَتَنِّيْ الْكِتَابَ وَجَعَلَنِيْ نَبِيًّا

He spoke : Lo! I am the slave of Allah. He hath given me the Scripture and hath appointed me a Prophet

Q. 19 : 31

وَجَعَلَنِي مُبَارَّاً كَأَنَّ مَا كُنْتُ وَأَوْصَنِي بِالصَّلَاةِ
وَالرَّكْوَةِ مَا دُمْتُ حَيَاً

And hath made me blessed wheresoever I may be, and hath enjoined upon me prayer and almsgiving so long as I remain alive.

Q. 19 : 32

وَبَرَّا بِوَالِدَيِّ وَلَمْ يَجْعَلْنِي جَبَارًا شَقِيقًا

And (hath made me) dutiful toward her who bore me, and hath not made me arrogant, unblest.

Q. 19 : 33

وَالسَّلَامُ عَلَى يَوْمِ وُلْدَتُ وَيَوْمِ أَمْوَاتُ وَيَوْمَ أُبْعَثُ حَيَاً

Peace on me the day I was born, and the day I die, and the day I shall be raised alive !

Q 19 : 34

ذَلِكَ عِيسَى ابْنُ مَرْيَمٍ قَوْلُكَ الْحَقُّ الَّذِي فِيهِ يَمْرَدُونَ

Such was Jesus, son of Mary : (this is) a statement of the truth concerning which they doubt.

Q. 3 : 45

إِذْ قَالَتِ الْمَلَائِكَةُ يَنْهَا إِنَّ اللَّهَ يُبَشِّرُكِ بِكَلْمَةٍ مِنْهُ أَسْمُهُ الْمَسِيحُ
عِيسَى ابْنُ مَرْيَمٍ وَجِئَهَا فِي الدُّنْيَا وَالْآخِرَةِ وَمِنَ الْمُقْرَبِينَ

(And remember) when the angels said : O Mary ! Lo! Allah giveth thee glad tidings of a word from Him, whose name is the Messiah, Jesus, son of Mary, illustrious in the world and the Hereafter, and one of those brought near (unto Allah).

Q. 3 : 46

وَيُكَلِّمُ النَّاسَ فِي الْمَهْدِ وَكَهْلًا وَمِنَ الْمُتَّلِّعِينَ

He will speak unto mankind in his cradle and in his manhood,

and he is of the righteous.

Q. 3 : 47

قَالَتْ رَبِّ أَنِّي يَكُونُ لِي وَلَدٌ وَلَمْ يَمْسِنِي بَشَرٌ فَالْحَمْدُ لِلَّهِ

اللَّهُ يَخْلُقُ مَا يَشَاءُ إِذَا فَضَّنَ أَمْرًا فَإِنَّمَا يَقُولُ لَهُ كُنْ فَيَكُونُ

She said : My Lord ! How can I have a child when no mortal hath touched me? He said : So (it will be). Allah createth what He will. If He decreeth a thing, He saith unto it only : Be! and it is.

Q. 3 : 48

وَيَعْلَمُهُ الْكِتَبَ وَالْحِكْمَةَ وَالْتَّوْرَةَ وَالْإِنْجِيلَ

And He will teach him the Scripture and wisdom, and the Torah and the Gospel.

Q. 3 : 49

وَرَسُولًا إِلَى بَنِي إِسْرَائِيلَ أَنِّي قَدْ حِشْتَكُمْ بِنَيَّاتِي مِنْ رَبِّكُمْ
 أَنِّي أَخْلُقُ لَكُمْ مِنَ الطَّينِ كَمِيَّةً أَطْيَرُ فَأَنْفُخُ فِيهِ
 فَيَكُونُ طَيْرًا يَأْذِنُ اللَّهُ وَأَنْزِلُ أَلْكَمَهُ وَالْأَبْرَصَ
 وَأُخْرِي الْمَوْقَى يَأْذِنُ اللَّهُ وَأَنْتَشِكُمْ بِمَا تَأْكُلُونَ وَمَا تَدْخِرُونَ
 فِي بُيُوتِكُمْ إِنَّ فِي ذَلِكَ لَآيَةً لَكُمْ إِنْ كُنْتُمْ مُّؤْمِنِينَ

And will make him a messenger unto the children to Israel, (saying) : Lo! I come unto you with a sign from your Lord. Lo! I fashion for you out of clay the likeness of a bird, and I breathe into it and it is a bird, by Allah's leave. I heal him who was born blind, and the leper, and I raise the dead, by Allah's leave. And I announce upto you what ye eat and what ye store up, in your houses. Lo! herein verily is a portent for you, ye are to be believers.

Verse Q. 3 : 49 deals with some miracles of Jesus which were given to him as a sign. However several verses refute the concept of divinity of Jesus e.g. Q. 3 : 59; Q. 4 : 171, 172.

Mirza Sahib on the one hand claimed superiority over all the Prophets and messengers of God and on the other hand used derogatory language against Prophets particularly Jesus. He claimed superiority over Jesus and said :

"God sent the promised Messiah in this Ummah, who is much superior to Jesus in all his glory. I swear by Him in whose Hand is my life that if Jesus had been in this age he could not have done what I can do and could not show signs which I can show." (Haqeeqat.ul.Wahi, page 148).

In Q. 3 : 49 are described the miracles of Jesus. He fashioned out of clay the likeness of a bird and breathed into it and it became a bird. He could heal the born blind, and the leper and raise the dead. These were signs for him. Mirza Sahib who claimed to be the Promised Messiah, the likeness (maseel مثیل) of Jesus was asked to show any such miracle. He denied the miracles of Jesus and said that description in the Holy Quran about the miracles was only allegorical.

The belief in such miracles of Jesus was condemned by him as Polytheistic and worse than heresy (Izala-i-Auham page 296). He denied that Jesus could perform miracles and wrote that he filthily abused those who demanded miracles from him called them bastards. From that day onwards the gentlemen avoided him. (Zamima Anjam-i-Atham page 6, margin). He then took a different stand and wrote it was possible that God might have imparted

knowledge to Jesus of the mechanism for making the lifeless and the toy birds to fly. (Izala-i-Auham page 302) or may be he indulged in mesmerism which he improved by his spirituality (ibid, page 322). There was a pond in those days from which many sings were manifested. It is possible that Jesus used the clay of that pond. He had nothing in him but deceit and deception (Zameema Anjam-i-Atham page 6 margin; Izala-i-Auham page 322).

Mirza Sahib wrote that this was now established with certitude that Jesus was an expert in Mesmerism. He had acquired his perfection by the permission and the order of God (Izala-i-Auham, page 309). If Mirza Sahib did not have low opinion about or hatred for mesmerism he would have equalled Jesus in the performance of that art (ibid).

Regarding the birth of Jesus Mirza Sahib said that it did not prove his greatness. Adam was born without any father or mother. Thousands of insects are born by themselves during rainy season. In fact the birth without father proves that he was devoid of some muscles (عوکس) (Chashma-i-Maseehi page 18). The reference clearly appears to what Mirza Sahib remarked about the disqualifications of eunuch in connection with Jesus who did not marry (see Maktubat-i-Ahmadiyya, Vol. III, page 28).

Mirza Sahib said that his (Jesus) pedigree was extremely poor. Three of his paternal and maternal grand-mothers were adulteresses. (Zameema Anjam-i-Atham, page 7, margin).

He accused him of having a talent for using abusive language, of losing temper and even of telling lies. (ibid page 5 margin).

Once Mirza Sahib was advised to use opium. He immediately observed that people will then say that the first Messiah was a drunkard and the second an opium eater.

I have given only a few quotations consisting of vilifying disdainful and contemptuous remarks of Mirza Sahib about a great Prophet of God. I have generally avoided to cite those remarks about which his excuse is that they were in the nature of response in disputations with Christian missionaries who used much more

abusive language for the Holy Prophet. This may be considered lawful by a disputationist but Islam does not allow the use of language which is not respectful for any Prophet or messenger since to believe in their prophetic mission is an article of faith with a Muslim. There may be many disparaging things about Prophets like Noah and Lot in the Old Testament but according to the Islamic concept a Prophet is incapable of sinfulness. A leader of his people whose mission is to inculcate virtue in his community cannot be but virtuous himself.

The description of pregnancy of Mary and the birth of Jesus in the Quran is simply ennobling but Mirza Sahib compared it with the birth of countless insects in the rainy season. Mirza Sahib is prepared to concede miraculous properties to the clay in a pond but not miracles to a Prophet of God.

It may be recalled that the mosque adjacent to the room of Mirza Sahib was named by him as bait ul Zikr.

In Baraheen-i-Ahmadiyya Mirza Sahib had appropriated for it the qualification of Kaaba or Bait ul Haram Mecca by saying that any one who enters it is in safety or peace. He thus implied that it was like bait ul Haram.

The next step was to alluviate the status of Qadian and make it equal to Mecca. He wrote in Durre Sameen page 52

بُجُمُّ خلق سے ارضِ حرم ہے زمینِ قادریاں اب محترم ہے

(The land of Quadian is now sacred. It is the land of Haram-e-Kabba on account of its drawing huge crowds).

By itself this couplet might not have meant much but it is extremely relevant on account of other circumstances.

In Aina-i-Kamalat-i-Islam (Page 352) Mirza Sahib ruled that the heavenly reward (ثواب) of attending the annual meeting held in Quadian exceeded the reward of supererogatory Haj.

Mirza Sahib prevented Sahibzada Abdul Latif from going to perform Haj. He stayed in Quadian to learn Ahmadiyyat (Quadiani

Mazhab page 363).

Mirza Bashiruddin Mahmud Ahmad made the visit to Qaudian as equivalent to Haj (ibid page 362).

Mirza Sahib named his mosque as Masjid-ul-Aqsa (see Q. 17.1) Tableegh-i-Risalat vol. 9, page 37. Its eastern minaret was being constructed because there is a tradition of the Holy Prophet that the Messiah will descend at the eastern minaret of Damascus. There is another tradition that the descent will be from Masjid-ul Aqsa (in Bait-ul-Maqdas). By what can be called only a travesty of reasoning, Mirza Sahib tried to prove that the minaret referred to above was of Masjid-e-Aqsa and should therefore be constructed in his mosque at Qaudian for the fulfilment of the prophecy of the Holy Prophet (ibid, page 38).

Mirza Sahib referred to verse Q : 17 : 1.

Q : 17 : 1

سُبْحَنَ اللَّهِ الَّذِي أَسْرَى بِعَبْدِهِ لَيَلَامِنَ الْمَسْجِدَ الْحَرَامَ
إِلَى الْمَسْجِدِ الْأَقْصَى الَّذِي بَرَّكَنَا حَوْلَهُ لِرُبْرِيهِ وَمِنْ مَا يَنْهَا إِنَّهُ
هُوَ السَّمِيعُ الْبَصِيرُ

Glorified be He who carried His servant by night from the in-voilable place of Worship to the Far Distant Place of Worship the neighbourhood whereof We have blessed, that we might show him of Our tokens! Lo ! He, only He, is the Hearer, the Seer.

Which is about ascension (Meraj) of the Holy Prophet. He held by the same method of reasoning that during the night of Meraj the Holy Prophet had made a journey from Kaaba in Mecca to Masjid-e-Aqsa in Qaudian (ibid pages 40-41).

The arguments of Capt. Abdul-Wajid, petitioner in Shariat Petition No. 2/L of 1984, who is a member of the Lahori Group of the Ahmadis were generally a repetition of the arguments of Mr. Mujibur Rehman, petitioner in the other Shariat Petition.

However, he raised a point about the difference between the beliefs of the members of the Lahori Group of the Ahmadis and that of Quadiani Group. He said that the Lahori Group does not believe in the prophethood of Mirza Sahib, nor did Mirza Sahib ever claim that he was a Prophet. The members of the Lahori Group believe in the unconditional and absolute finality of the prophethood of Muhammad (P.B.H.) and treat Mirza Sahib as the Promised Mehdi, the Promised Messiah a Mujaddid, a Muhaddas — anything short of being a Prophet. In this connection he placed reliance upon several books including Izala-e-Auham, Nishan-e-Asmani, Aina-e-Kamalat-e-Islam, Hamamat-ul-Bushra, Ayyam-ul-Sulh, etc. to establish that even Mirza Sahib did not lay a claim to prophethood. It was pointed out to him that the relevant writings of Mirza Sahib in this connection would be the writings from 1901 to 1908, and Aik Ghalati Ka Izala is the basic writing. He read some portions of this pamphlet but not those which were relevant to the issue.

Captain Abdul Wajid denied that Mirza Sahib or the Lahori Group of the Quadianis ever pronounced the Muslim Ummah or those who recite 'Kalima' (ﷺ) (there is no God except Allah and Muhammad (P.B.H.) is his Prophet) as heretics or Kafirs because of their unbelief in Mirza Sahib. Although he admitted that those Muslims who call Mirza Sahib Kafir become after this allegation Kafirs.

Both these assertions are without substance. It will be found in the writings of Mirza Sahib that he not only claimed prophethood but the founder of the Lahori Group (M. Muhammad Ali) also believed him to be a Prophet till 1914, when he seceded from the main body of Ahmadis and formed his own Group. Reference may be made in support of this proposition to Hayat-e-Tayyiba, a biography of Mirza Sahib by Abdul Qadir. Only two citations will suffice.

It is stated at page 299 that in 1904 Muhammad Ali appeared on behalf of the complainant in the case of Molvi Karmuddin and

deposed that :

”مکذب مدعی نبوت کذاب ہوتا ہے۔ مزا صاحب ملزم مدعی نبوت ہے۔“

‘One who falsifies a claimant to Prophethood is a liar. The accused, Mirza Sahib is a claimant to Prophethood’.

At page 300 is reproduced the following extract of M. Muhammad Ali’s writing published in his newspaper Paigham-e-Sulh, dated 16th October, 1913 :

”بم حضرت مسیح موعود اور مددی مسحود کو اس زمانے کا نبی، رسول اور نجات دہنہ دانستہ ہیں۔“

‘..... We believe his eminence the Promised Messiah and the Promised Mehdi to be a Prophet and a liberator from the consequence of sin.’

It is clear from these extracts that M. Muhammad Ali as well as his companions considered Mirza Sahib as a Prophet during the lifetime of Mirza Sahib and his successor, M. Nuruddin. It was only later after his secession from the general body of the Ahmadis that M. Muhammad Ali took a different stand that to claim to be a Prophet, while he is a member of the Ummah is the act of a liar. (Al-Nabuwwa-fil-Islam, page 115) and ‘I consider it as an act of uprooting Islam to treat Mirza Sahib as a Prophet’. (Paigham-i-Sulh, Vol. 2, page 119, dated 16th April, 1915).

Mirza Sahib had to face the verdict of heresy when his claim was limited to his being a Promised Mehdi and Messiah. The same verdict was applicable to his followers. Maulana Muhammad Hussain Batalvi who had once extolled Mirza Sahib for writing some portions of Baraheen-i-Ahmadiyya soon became disenchanted on account of these claims and became his deadly opponent. He not only himself gave a verdict of his being a Kafir (non-Muslim) but secured the signatures of a large number of the learned (Ulema) on it from all parts of India. (Hayat-e-Tayyiba by Abdul Qadir, page 132).

The point may, however, be considered objectively without being influenced by these verdicts. It is established from the

citations from the writings of Mirza Sahib and his successors that Mirza Sahib had made an unequivocal claim of being a Prophet and had condemned all those who did not accept his claim, as Kafirs (heretics).

Now what is the view in Islam regarding those people who ignore or close their eyes to patent heresy of a heretic and believe in him as Mamoorun Minallah (appointed by Allah), Mujaddid (revivalist of the true Islam), the Promised Messiah or Mehdi which he cannot be on account of his being beyond the pale of Islam?

Is not the support of heresy an act of heresy?

The established principle in Islam is that one who considers heresy as something good or acquiesces in or is pleased with it is not a Muslim. (Ikfar-ul-Mulhedeen by Maulana Anwar Shah Kashmiri, page 59). It is said in Bahrur Raiq, Vol. 5, page 24, that he who holds a good opinion for the discourse of Jewish priests or is pleased with (their) Taaweeel (to give a different interpretation to an obvious meaning of a word) is an unbeliever. Mirza Sahib put this principle rather bluntly when he said "that a person calling an unbeliever to be a believer, himself becomes an unbeliever" (Haqiqat-ul-Wahi, page 164).

Islamic view
regarding a claimant
of prophethood and his followers

Q. 2 : 256 is apt on this point. It is as follows :—

لَا إِكْرَاهٌ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيْرِ فَمَن يَكْفُرُ بِالظَّنِّفُوتِ
وَيُؤْمِنُ بِاللَّهِ فَقَدْ أَسْتَمْسَكَ بِالْعِرْوَةِ الْوُثْقَى لَا أَنْفَصَامَ لَهَا
وَاللَّهُ سَمِيعٌ عَلِيمٌ

"There is no compulsion in religion. The right direction is henceforth distinct from error. And he who rejecteth false deities and believeth in Allah hath grasped a firm handhold which will never break. Allah is Hearer, Knower".

The word Taghut (طاغوت) is used at several places in the Quran as an antonym of Allah. See the above verse and Q. 16 : 36

worship God and shun Taghut طاغوت) ; Q. 4 : 76
 (Those who believe fight in the way of God and those who disbelieve fight in the way of Taghut).

It is used to connote the devil, a wizard or soothsayer (Kahin ، کاہن) and one who leads astray, Jauhari said :

الظاغُوتُ الْكَاهِنُ وَالشَّيْطَانُ وَكُلُّ رَأْبٍ فِي الضَّلَالِ

Taghut is a soothsayer, the devil and anybody who leads astray (Qurtabi). The words 'كُلُّ رَأْبٍ فِي الضَّلَالِ' (anybody who leads astray) include the founder of a religion to lead people astray, or of an ideology which is a deviation from the right course (See Ziaul Quran by Pir Muhammad Karam Shah (now Judge of the Supreme Court Shariat Bench, Vol. I, pages 179, 180).

The word Taghut as used in verse 2 : 256 has therefore, been differently interpreted by different translators. Pickthall interprets it as false deity. Arbury translates it as idol. The translation of the word by Maulana Mahmood-ul-Hassan is 'One who leads astray (گمراہ کرے)'. This is much more appropriate and all embracing. It would include a person who founds a religion of unbelief.

The quality of a Momin or Muslim is that he should believe in Allah and disbelieve in or deny Taghut which would include a false Prophet. It would follow that a person who does not deny a false Prophet, a person who leads astray, a person who founds a religion which is a deviation from Islam, cannot be a Muslim despite his belief in Allah. The case of a person who believes in Taghut as well as in Allah is much worse. By no stretch of imagination he can be placed on the same level as Muslims. To save the Ummah from disintegration, on the principle of 'Sadde Dharia' (ستہ فرائیں) also such misguided person should be held to be beyond the pale of Islam, since it is to keep the mischief of belief in Taghut away from the Muslim Ummah (community).

In his pamphlet 'Aik Ghalati Ka Izala' (meaning removal or correction of mistake) Mirza Sahib for the first time laid claim to

Prophethood. The reason for writing it was that a few days before its writing some 'opponents' raised an objection before a follower of Mirza Sahib that he at whose hands he had taken the oath of fealty (bait) claims to be a Prophet, but the follower denied the charge. Mirza Sahib wrote that this denial was not correct because the holy revelations which he received from Allah included such words as Rasool, Mursal and Nabi not once but hundreds of times and consequently this denial cannot be correct. He had already published these words in Baraheen-i-Ahmadiyya (براهین احمدیہ) about 22 years ago. It was said there that

”هُوَ الَّذِي أَرْسَلَ رَسُولَهُ إِلَيْهِ أَنَّهُ أَنْتَ الرَّحِيمُ وَرَبُّ الْعِزَّةِ لِيُنَظِّمَ الْأُمَّةَ عَلَى الدِّينِ كُلِّهِ“

(He it is who hath sent His Messenger with the guidance and the Religion of Truth, that He may cause it to prevail over all religions) (Baraheen-i-Ahmadiyya, page 498).

In it 'it was clearly stated that he (Mirza Sahib) is a Prophet. It was further revealed in that book about him جُرْعُ اللَّهِ فِي حَلَالِ الْأَنْبِيَاءِ (the apostle of God in the vestment of Prophets) (page 504). In the same book there is another revelation from Allah (see Q. 48 : 29) :

”مُحَمَّدٌ رَسُولُ اللَّهِ وَالَّذِينَ مَعَهُ أَشَدُّهُمْ عَلَى الْكُفَّارِ رُحْمَانٌ بَيْنَهُمْ“

(Muhammad (P.B.H.) is the Messenger of Allah and those who are with Him are hard against the disbelievers and merciful among themselves).

In this revelation according to Mirza Sahib he was named as Muhammad and also Prophet. Similarly in many other places in Baraheen-i-Ahmadiyya he was mentioned as a Messenger.

Mirza Sahib then dealt with the objection that since Prophet Muhammad (P.B.H.) was the last of the Prophets, no Prophet could come after him. He refuted the belief of the Muslims about the second advent of Jesus in this world as a Prophet. He stated that the meaning of the verse about Muhammad (P.B.H.) being the last of the Prophets was that the doors of Prophethood had been

closed after the Holy Prophet (P.B.H.) till the day of judgment and it was not possible for any Hindu, Jew, Christian or any person formerly known as Mussalmaan to prove the application of the appellation Nabi (Prophet) to himself. All windows of Prophethood were closed except one which was of Seerat-e-Siddiqi and which could be claimed by one who was fana-fil-Rasul (فنا ف (الرسول (merged himself in the Prophet).

Mirza Sahib continued that whoever goes to God through this window is honoured with the mantle of Prophethood in a Zilli (ظلاق) manner (like a shadow). This is the mantle of Prophethood of Muhammad. It is not a matter of shame for him to be a Prophet because he acquires the qualifications not from himself but from the spring (source) (جشعة) of his Prophet (P.B.H.). Similarly he does not acquire it for himself but acquires it for his great glory and majesty. For this reason his names in the Heavens (جنت) are Muhammad and Ahmad which means that the Prophethood of Muhammad (P.B.H.) was ultimately received by Muhammad though in a buruzy manner (by incarnation).

At page 7, he wrote that despite this Muhammad (P.B.H.) remained the Khatam-un-Nabiyyin (last of the Prophets) because the second Muhammad was the picture of that Muhammad (P.B.H.) and bore his name. He also wrote that having been named as Muhammad and Ahmad, he was a Rasool (Messenger) and Nabi (Prophet) (page 9). The verse 62 : 3

وَآخِرِيْتُ مِنْهُمْ لَمَّا يَلْعَمُوا بِهِ

(Alongwith others of them as have not joined them) was similarly twisted and misinterpreted by Mirza Sahib to suit his theory and was held to be applicable to the future Prophets including himself. He said that he was the same Prophet in a buruzy manner and 20 years earlier was named in the Baraheen-i-Ahmadiyya as Muhammad and Ahmad and was declared as Zil (ظلاق) (shadow) of the Holy Prophet (P.B.H.). This according to him did not adversely affect the finality of the Prophethood of the Holy Prophet (P.B.H.) because shadow is not separated from the original self (page 10).

The verse Q. 62 : 3 is to be read in continuation of the earlier verse (Q. 62 : 2) which refers to the function of the Holy Prophet (P.B.H.) to recite unto the unlettered ones, his revelations and to make them grow, and to teach them the scriptures and wisdom, though herebefore they were indeed in error manifest *alongwith others of those who have not yet joined them* (The underlined is the translation of the words which were misinterpreted by Mirza Sahib).

The two verses (Q. 62 : 2, 3) make a mention of one Prophet only i.e. Muhammad (P.B.H.). Its obvious meaning is that his message which was based upon Divine Revelations, i.e. the scriptures and wisdom shall continue after his death to teach the future generations. The verses do not refer to future Prophets since the Prophethood was sealed.

Again after repeating his Prophethood in a buruzy manner he wrote that for this reason his name was Muhammad and Ahmad and the Prophethood did not go to anyone else ; it belonged to Muhammad and remained with Muhammad (P.B.H.) (page 16).

It would be seen that the consequences of the dictum that Mirza Sahib himself was Muhammad and Ahmad (they were the names of the Holy Prophet (P.B.H.) were anomalous enough. The companions of Mirza Sahib became the companions of the Holy Prophet. In the formula recited by Muslims there is no God but Allah and that Muhammad (P.B.H.) is his Prophet, Muhammad is Mirza Sahib. Wherever the word Muhammad is recited or read, it means Mirza Sahib.

Now the concept itself may be analysed. It has been explained in Al-Falsafatul-Sufiati fil-Islam by Dr. Abdul-Qadir Mahmood, pages 5-11 that the meaning of expressions *zilli* (زنی) and *Buruzy* (برونی) resemble very much the concept of incarnation (حکول) or transmigration (تناسخ) among the Hindus.

Mirza Sahib himself admitted that buruz means avatars. In his lecture Sialkot dated 2nd November, 1904 (page 23) he said :

"This may be made clear that my advent on behalf of God is not only for the reform of the Muslims. The reform of all the three communities Muslims, Hindus and Christians is required".

As God sent me as promised Messiah for the Muslims and the Christians, so I am as an avatara for the Hindus. . . . Raja Krishna as has been made evident to me was in fact a perfect man He was the avatara of his time or prophet. . . . It was the promise of God that during the final age, he would create his *buruz meaning avatars*."

In Zamima Risala-i-Jihad (printed 1900) he wrote :

"God sent me as an avatara of Jesus. Similarly He named me as Ahmad and Mohammad and *made me an avatara of Prophet Muhammad (P.B.H.)* after making my habits, manners, style (as of the Holy Prophet) and after clothing me in the mantle of Prophet Muhammad (P.B.H.) so that I may (propagate and) spread unity (concept of oneness of God). . . . so that I am a Jesus as well as Mohammad Mehdi in this sense and it is that manner of manifestation which technically is called buruz in Islam" (page 6 and 7).

It is clear that Mirza Sahib treated avatara and buruz as equivalents of one another.

In strict Shariah of Islam there is no concept of incarnation or transmigration. These are terms emanating from those who believed in transmigration like Mazdak and Laman. Similarly there is no such notion as shadowism (ظلیت) in Islam (Khatimun Nabiyyin by Anwar Shah Kashmiri page 210).

In Mauqiful Ummatil Islamiyya Maulana Muhammad Yousaf Bannori wrote that from the comparative study of religions it appears that the entire concept of shadowism (ظلیت) and incarnation (بیرون) is a Hindu concept and no such concept is there in Islam. Abdul Qadir Baghdadi (d. 429 A.H.) also said that the view in favour of Hulul is false and absurd (Usul Ul Din page 72).

Mujaddid Alf Sani, whose writings were relied upon by Mirza Sahib refutes the concept of zil (shadow) in prophethood. He said in his letter No. 301 that prophethood connotes nearness to Allah which it has not even the hint or doubt of Zilliat (shadowyness).

Another argument of the petitioners is that Quadianis are a part of the Muslim Ummah and a member of the Ummah cannot be excluded from it on account of differences in matters of belief. According to them the definition of Ummah is that any person who believes in the unity of Allah and in the prophethood of Muhammad (P.B.H.) is a Muslim and a member of the Muslim Ummah. He referred to Q. 4 : 49 that "one who salutes like a Muslim (assalam-o-alaikum i.e. peace be upon you) should not be called non-Muslim", to the opinions of Jurists that one who recites that there is no god but God, cannot be killed (in Jihad) and to certain traditions on which these opinions were based. The question then is what is Ummah or Muslim Ummah.

The word Ummah (plural Umam أَمَّهُمْ) is used in different meanings e.g. people or individuals (Q.43 : 211) course or principle (Q.43 : 23), period (Q.11 : 7), guide or leader (Q.16 : 12), nation (Q.16 : 36 ; 35 : 24) and followers of the same Prophet or of the same religion (Q. 2 : 213 ; Q. 21 : 92) (See Gharib-ul-Quran-fi-Lughat-il-Quran by Allama Shirazi, pages 18, 19; See Umdat-ul-Qari, vol. 5, page 198 for the different meanings).

Imam Raghib said that the general meaning of Ummah is 'nation' or 'community' particularly that community which is identified by commonness of affairs (which must include commonness of ideology, out look and aspirations, social, cultural, economic, political and religious) (Al-Mufradat-fi-Gharib-il-Quran, page 23).

Its illustration is Quranic Verse Q.6 : 38

وَمَا مِنْ دَّابَّةٍ فِي الْأَرْضِ وَلَا طَيْرٌ يَطِيرُ بِعِنَاحِيْهِ إِلَّا أَمْمَ أَمْثَالُكُمْ
مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ وَتُمَّ إِلَى رَبِّهِمْ يُمْشَرُونَ

"There is not an animal in the earth, nor a flying creature flying on two wings, but have communities like you".

In this Verse are included each specie of animals which leads life in a similar way for example spider which weaves its web or the white peacock which builds the house of straw.

According to the Quran all mankind was a single Ummah (Q.2 : 213) but then they split up in groups. Then the community bond or group bond or bond of faith became the determining factor for Ummah.

In Verse 5 : 48 it is said :—

وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً

'Had Allah willed He could have made you one community'.

By the *oneness* of the community is meant unity in faith. (ibid, page 23).

Sometimes the word Ummah is used for those people to whom a Prophet was sent (Q.10 : 47, Q.23 : 44, Q.35 : 24, Q.40 : 5) and sometimes it applies to those persons who believe in any one Prophet (Q.5 : 48), Q.16 : 93, Q.22 : 67, Q.42 : 2). The former is known as Ummatul Daawa (امتة الدعا) while the latter is called Ummatul Ijaba (امتة الاجابة) (see Kashshaf-e-Istalahaatil Funoon Thanvi Vol. I, page 91).

In the Holy Quran the Ummah of Prophet Muhammad (P.B.H.) is called the best Ummah vide Q.3 : 110 :

Q.3 : 110

كُنْتُمْ خَيْرَ أُمَّةٍ أَخْرَجْتَ لِلنَّاسِ

'Your are the best community that has been raised for mankind'.

and then the qualities of that Ummah are described :

تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتَوْمَنُونَ بِإِلَهٍ

'Ye enjoin right conduct and forbid indecency, And you believe in Allah'

The same Verse then distinguishes between the best Ummah and the people of the Scriptures :

وَلَوْمَاءَمَنْ أَهْلَ الْكِتَابِ
لَكَانَ خَيْرًا لَهُمْ مِنْهُمْ الْمُؤْمِنُونَ وَأَكْثَرُهُمْ فَنِسْقُونَ

'And if the people of the Scripture had believed it had been better for them. Some of them are believers ; but most of them are evillivers'. (Q. 3 : 110).

The word Ummah was scientifically used by the Holy Prophet (P.B.H.) both for a community consisting of his followers as well as followers of other religions, as well as for a community exclusively of his followers. The word Ummah was used in both these senses in the Covenant of Madina (ميثاق مدينه) by the Holy Prophet (P.B.H.). The preamble of the Covenant is :

هَذَا إِكْتَابٌ مِنْ مُحَمَّدٍ إِلَيْكُمْ بَيْنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ مِنْ قَرِيشٍ يَرْبَ وَمَنْ شَهِمَ فَلَحِقَ بِهِمْ وَجَاهَهُمْ مَعْهُمْ فَإِنَّهُمْ أُمَّةٌ مِنْ ذُوْتِ النَّاسِ

'This is the writing of Prophet Muhammad (P.B.H.) between Muslims and Momins of Quresh of Yathrab and those who join them and participate in Jihad with them. They are an Ummah as against all others'.

In Article 26 of the same Covenant are the words :

إِنَّ يَهُودَ بَنِيْتُ عَوْفَ أُمَّةً مَعَ الْمُسْلِمِينَ

'The Jews of Bani Auf form an Ummah with the Muslims. (Seerat Ibn-e-Hisham, Vol. I, page 554 onwards Urdu translation).

Those who are parties to the agreement are groups which means each of them forms Ummah.

Those Jews who were or later became parties to this Covenant were held to be an Ummah with the Muslims on account of the

common functions and aspiration of the covenantors described in the Covenants. The Muslims were a single Ummah because of their adherence to the same religion. The Covenant thus lays the foundation in the political sense for a nation consisting of a Muslim majority and non-Muslim minorities. But all the same it also insists upon the exclusive character of the Muslims as a separate Ummah.

While raising the foundations of Ka'aba in Makka Abraham and Ismail prayed.

Q.2 : 128

رَبَّنَا وَأَجْعَلْنَا مُسْلِمِينَ لَكَ وَمِنْ ذُرِّيَّتَنَا أَمَّةً مُسْلِمَةً لَكَ

'Our Lord ! And make us submissive unto Thee' and of our progeny a community submissive unto Thee '

One of the meanings of Islam is submission and obedience; Muslim means one who is submissive. The verse points out that those who submit would form one Ummah or that the Muslims by virtue of their Islam (submission) shall integrate into one nation. Thus the common bond of Islam will constitute them an Ummah because the principle is that persons with common aspirations and ideologies form the nation. This is clear from Q.3 . 104, Q.7 : 181

Q.3 : 104

وَلَا كُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ
وَنَهَا عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

'Let there arise out of you a band of people inviting to all that is good, enjoining what is right, and forbidding what is wrong; They are the ones to attain felicity'.

Q.7 : 181

وَمِنْ خَلْقِنَا أُمَّةٌ يَهْدُونَ بِالْحَقِّ وَيَهْدِيْنَ

'Of those We have created are people who direct (others) with truth, and dispense justice therewith'.

Islam (submission) is not the religion or way of life of the Ummah of Prophet Muhammad (P.B.H.) only. All the Prophets preached Islam because all of them received same revelations and were similarly inspired (Q.4 : 163). Abraham was neither a Jew nor a Christian. He was a Muslim. (Q.3 : 66) Islam to which the Holy Prophet (P.B.H.) was guided is a right religion which was followed by Abraham (Q.6 : 162). All the Prophets preached the people to serve Allah and to obey the law of God Q.7 : 59, Q.7 : 65, Q.7 : 73, Q.7 : 85). In Verses 21 : 42 and 23 : 52 after referring to the earlier Prophets it was specifically stated that

إِنَّ هُنَّ مِنْ أُمَّةٍ وَاحِدَةٍ

'Lo this religion of all of you is one religion'.

It may be clarified that Qurtabi said that 'الْأُمَّةُ مُنَّا الَّذِينَ' the word Ummah (أُمَّةٌ) here means religion. But it is also taken in the meaning of community or body.

One of the primary conditions for faith in Islam is that the faithful must believe in God and in all the Prophets upto Muhammad (P.B.H.) who should be believed as the last Prophet and Messenger and no Prophet or Messenger can follow him in any age till the day of judgment. They must believe in all Books revealed or sent by God, the Angles and the Hereafter.

The next condition is the establishment of prayers, and fasting, the performance of Haj and payment of Zakat. The Articles of faith must have been common in each religion but the manner of prayers and fasting, the particulars of Zakat and the Haj are features which are distinctive of the Muslims. Similarly the places of worship (Mosque : مسجد) or the manner of calling the faithful to prayers is not compatible with the rituals of other religions. The Muslims have been declared the best community that hath been raised up for mankind (Q.3 : 110). They enjoin right conduct and forbid indecency "يَعِزُّونَ بِالْمَقْرُوفِ وَتَنْهَرُنَ عَنِ الْمُنْكَرِ" (Q.3 : 110, Q.3 : 104).

After the Holy Prophet (P.B.H.) passed away it became the duty of the entire Ummah to advance the objects of the religion

(Q. 3 : 144). They are enjoined to be steadfast and remain united because they have to endure and outdo all others in endurance (Q. 3 : 200). It is not the custom and manner of Muslims to oppose the Holy Prophet (P.B.H.) after the guidance of God hath been manifested to a person (Q.4 : 115). This means that he must obey the Holy Prophet (P.B.H.). Verse 4 : 59 orders the Muslim Ummah to obey the persons in authority (which means a Central authority and officers subordinate to it). It is not difficult to conclude from these Injunctions that it is the duty of the Muslim Ummah to keep the banner of Islam flying and for this purpose it must be well knit.

The Muslims are brothers among themselves without distinction of race, colour or country. (Q.49 : 10). The murder of one is the murder of all and saving one from death is the saving of all. The Muslim Ummah is enjoined to establish and to be staunch in the maintenance of justice and fairplay amongst mankind. (Q. 4 : 135). For the benefit of mankind they are a moderate or middle nation (Q.3 : 143).

The entire Muslim Ummah is thus the worshipper of one God. It is the Ummah of one and the last Prophet and Messenger of Allah and offers its prayer by facing in every nook and corner of the world towards a common Centre, the Ka'aba. The Muslims look towards each other in the Ummah as brothers and are pained to hear or know about any trial or tribulation befalling other Muslims. Their ideology and aspirations are uniform. These are the real tests of an Ummah.

The Muslims are extremely tolerant of all other religions but they never tolerate any attack on their faith or subversion or undermining of the Ummah. Both are so dear to them.

Mr. Riazul-Hasan Gilani discussed the basis, the factors and the mechanism of group solidarity and integration and submitted that solidarity is organic and mechanical. The concept organic solidarity refers to integration resulting for division of labour while mechanical solidarity is used to describe the community or society in which all members share the same basic characteristics

and consequently feel sympathy for one another.

He argued that the description of mechanical solidarity is apt for the Muslim Ummah and quoted from 'A Text Book of Sociology by O.G. Burn and Nimkoof, page 87'.

"Tusik, mechanically integrated, show the basic characteristics of the ideal 'folk' society : isolation, cultural homogeneity, organisation of the conventional understandings into a 'single web of inter-related meanings', the predominantly personal character of social relationship, the relative importance of familial institutions and the relative importance of sacred as compared with secular sanctions. Merida, organically integrated, tends to show the opposite characteristics".

The passage deals partly with the social structure and its grouping on culture — pattern basis.

Ibn-e-Khaldun discussed at great length group feelings among the tribes for persons of the same descent and bound by the ties of blood relationship and for their clients and allies. The strong feeling is the result of the Desert life which breeds extreme courage, valour and bravery (Muqaddimah English Translation, Vol. I, page 264). He discussed the importance of royal authority as a result of the group feeling. The most important and relevant point is the effect of religious uniformity. He said :

"The reason for this is that because of their savagery, the Arabs are the least willing of nations to subordinate themselves to each other, as they are rude, proud, ambitious, and eager to be the leader. Their individual aspirations rarely coincide. But when there is religion (among them) through prophecy or sainthood, then they have some restraining influence in themselves. The qualities of haughtiness and jealousy leave them. It is then easy for them to subordinate themselves and to unite (as a social organization). This is achieved by the common religion they now have. It causes rudeness and pride to disappear and exercises a restraining influence on their mutual envy and jealousy. When

there is a Prophet or Saint among them, who calls upon them to fulfill the commands of God and rids them of blame-worthy qualities and causes them to adopt praiseworthy ones, and who has them concentrate all their strength in order to make the truth prevail, they become fully united (as a social organization) and obtain superiority and royal authority. Besides, no people are as quick (as the Arabs) to accept (religious) truth and right guidance, because their natures have been preserved free from distorted habits and uncontaminated by base character qualities. The only (difficulty) lies in the quality of savagery, which, however, is easily taken care of and which is ready to admit good (qualities), as it has remained in its first natural state and remote from the ugly customs and bad habits that leave their impress upon the soul. "Every infant is born in the natural state", as is stated in the tradition that was quoted above

It cannot be denied that faith is a stronger stimulant towards the achievement of co-operation, fellow feeling, comradeship and ideological cohesion irrespective of colour, ethereal, racial, linguistic and cultural barriers. The emotional fervour and the instinct of attachment to and affinity with the ideological base generates fraternal feeling which it is not difficult to demonstrate from Islamic History. The offensive against Raja Dahir of Sind by the Muslims was the result of appeal for help by some Muslims. Muslim armies despite heavy odds travelled such a long distance to respond to the appeal of a few fellow Muslims.

There is, however, a big difference between a nation of the modern era and a religious Ummah. A nation is combination of a group of persons but in that combination the main motive and the driving force is self interest. There are a complex of factors and qualities for the combination but self interest of the individuals and the groups is one of them, rather it is the main criterion. But a religious Ummah is oblivious of such a factor.

The factors which helped the formation and cohesion of the Muslim Ummah are the humanitarian character of Islam, its emphasis on equality of all rich and poor, master and slave, men and

women irrespective of distinction of country, colour, race, language or culture, its stress on fraternity and the individual freedoms guaranteed by it.

The armies of Islam were the torch bearers of these qualities and spread the spirit of tolerance and forbearance, love for education and research, though unfortunately in the eras of their political weakness they were the victims of savagery and religious intolerance.

The love of their heritage and the pride for their history are some other factors for their fusion in an Ummah.

All these are factors related to the teachings of religion and the excellence of Islam as a vital force. But the most important factor is the love and respect of the Muslims for the Holy Prophet (P.B.H.) through whom all these blessings were conferred upon the Ummah. Intensity of this love and respect is demonstrated by the fact that all details of the life of the Prophet (P.B.H.) are preserved and thousands of books have been written by Muslims on his Seerat (life). The Muslims are bound to obey the Quran as well as the Sunnah of the Holy Prophet (P.B.H.) and they collected and preserved all incidents of his prophetic life – even the most minor ones. To obey him is to love him but the love which transcends obedience to him is the emotional and sentimental attachment to the Holy Prophet (P.B.H.).

The finality of Prophethood is an article of faith with each Muslim on account of the intense love for the Holy Prophet (P.B.H.) and the belief in the finality of Prophethood is the most important element in the integration of the Ummah as Allama Iqbal puts it.

The consciousness of affinity in the Ummah and its integrity help in the growth of tenacity which alongwith emotional fervour in the Ummah creates resistance against all impulses of disintegration. The claims of Prophethood have, therefore, been resisted by the Ummah vigorously to keep the mainstream of the faith pure. As such they have resented all encroachment on the nexus

Belief in finality of Mohammad (PBUH)
is primary condition for faith in Islam

Finality of prophethood is the most important
element in the integration of the Muslim Ummah

between Islam and finality of Prophethood.

The Quadianis are not a part of the Muslim Ummah. This is amply proved by their own conduct. In their opinion all the Muslims are unbelievers. They constitute a separate Ummah. The paradox is that they have substituted themselves for the Muslim Ummah and turned the Muslims out of that Ummah. The Muslims consider them beyond the pale of Muslim Ummah and curiously enough they consider the Muslims out of the pale of that Ummah. Clearly the two do not belong to the same Ummah. The question who are members of the Muslim Ummah could be left unresolved because of the absence of forum in British India but in an Islamic State in which there are institutions to determine the issue, this matter does not present any difficulty. The Legislature as well as the Federal Shariat Court are competent to resolve it.

This friction and absolute separation between the Quadianis and the Muslims is borne out by the writings of Mirza Sahib as well as his successors. Mirza Bashiruddin Mahmood in his book Anwar-e-Khilafat discussed this point in detail and elaborated the reasoning why Quadianis cannot offer prayer behind a non-Ahmadi Imam, cannot offer the funeral prayer of non-Ahmadi and cannot marry their women with non-Ahmadi. The basic reason is that according to the Quadianis non-Ahmadi are unbelievers. Mirza Bashiruddin Mahmood wrote an anecdote that he met a renowned religious scholar (عالی) in Lucknow who told Shaikh Yaqoob Ali who accompanied him that in his opinion the Quadianis were broad minded people but their enemies propagated that they considered the non-Ahmadi as disbelievers. I said to him: tell them that we really consider you disbelievers. On this he was much astonished. He then advised the Quadianis that there was a difference between deen (religion) and Dunya (world). whenever a matter of religion is involved they (Quadianis) should single themselves out. (Anwar-e-Khilafat, page 90-93).

In Kalimatul Fasl it is said that "the Promised Messiah meted out the same treatment to non-Ahmadi which was meted out by the Holy Prophet (P.B.H.) to the Christians. Our prayers were separated from those of non-Ahmadi. To give our girls in marriage to them was declared prohibited. We were prevented

from offering their funeral prayers. Nothing remained there in which we may associate with them. There are two types of relationship — religious and worldly. The religious relationship is achieved through the assembly for prayer while the main source of worldly relationship is intermarriage. Both these things are absolutely prohibited for us" (page 169).

In 'Aeenai Sadaqat Mirza Bashiruddin Mahmood referred to the alleged revelation of Mirza Sahib that whoever treated even one word of the promised Messiah as false he is an outcast (mardood) from the Court of God. He then exhorted Ahmadis that they should not abandon their distinctive signs. They believed in a true Prophet while their opponents did not believe in him. During the period of Mirza Sahib a proposal was made that Ahmadis and non-Ahmadi should propagate (Islam) together but Mirza Sahib asked "which Islam you will propagate? Will you conceal the signs and rewards given to you by God?

There is nothing strange in this approach of Quadianis since it has been a worldwide phenomenon that members of each religion consider the members of any other religion to be infidels, heretics or beyond the pale of their religion. It is the same with Jews, Christians, Magians, Hindus, and others. This is not only true about the religious communities but also the secular ideological groups like communists and Socialists.

The principle generally acknowledged by followers or members of umam (plural of Ummah) of different Prophets is that whoever does not believe in the Prophet of one 'Ummah is outside that Ummah or an outcast to that community. It followed necessarily from the claim of prophethood of Mirza Sahib that whoever did not believe in him or considered him a false prophet or impostor could not be within the ummah or community of Mirza Sahib known by the name of Ahmadis.

The orders about prayers and marriage are those of Mirza Sahib and not of any successor. Even before his specific claim of prophethood he wrote : "whoever does not follow me and is not within our bay't (does not take oath of fealty) or opposes me,

commits disobedience to God and his abode is hell (Tazkirah pages 342-343, Extract from the letter of Mirza Sahib dated 16th June, 1899 to Babu Elahi Bukhsh).

Mirza Sahib stated this inspite of the fact that he had earlier stated that the belief in the promised Messiah was not an article of faith. In Haqeeqatul Wahi page 179 and 180 he described two categories of disbelief; "Firstly, in which a person denies the truthfulness of Islam and does not acknowledge the Holy Prophet as Messenger of God; Secondly that in which he does not believe in the promised Messiah and inspite of conclusive arguments treats him to be false although there is Injunction of God and His Messenger for believing the contrary which is also repeated in the Books of the earlier Prophets. For this reason (by his disobedience in Mirza Sahib) he is an unbeliever because of his denial of the Injunctions of God and His Messenger. If one ponders over this matter it will be clear that both types of unbelief are the same (riddled with equal consequences) because a person who despite knowledge of Injunctions thereof fails to believe in God and His Messenger cannot be said to have faith in God and His Messenger. According to the specific Verses in the Holy Quran even that person who disbelieves for lack of knowledge is called Kafir (unbeliever) and we also call him so for his disobedience to the dictates of Sharia."

In answer to a question Mirza Sahib said (at page 163 of Haqeeqatul Wahi) that "if in the opinion of falsifier I have invented lies against God, I am, in that case, not only an unbeliever but a great unbeliever and If I do not invent lies this unbelief will undoubtedly fall on him (falsifier of Mirza Sahib) Besides this whoever does not believe in me also does not believe in God and His Messenger."

Mir. Mujeebur Rehman took exception to these arguments of Mr. Riaz-ul-Hassan Gilani and submitted that the above concept of heresy of non-Ahmadis continued only upto 1923 and all the references to this effect pertained to that period. He submitted that Mirza Bashir Ahmad was not an Imam or Khalifa for the

Ahmadis; he was only their spokesman. But Mirza Bashiruddin Mahmood had explained before the Munir Enquiry Report that he had not called the non-Ahmadis as infidels in the sense that they were outside the muslim ummah meaning that their heresy was not a major kufr (heresy). The explanation of Mirza Bashiruddin Mahmood in times of distress when the agitation of the muslim ummah in Pakistan had reached its peak was no more than retracting of steps as was done by Mirza Sahib himself several times as already explained. Mirza Sahib himself said that such a person is a Kafir because he will be taken not to believe in God and His Messenger. There can be no better proof of such a person being outside the muslim ummah.

Mirza Sahib called his Muslim opponents as leaders of Kufr (Tazkira, pages 111, 373).

In his letter to Dr. Abdul Hakeem dated March, 1906 he wrote that "God has revealed to me that every one to whom my message has reached and who does not accept me is not a muslim (Tazkirah page 600). Mirza Bashiruddin Mahmood equated the non-Ahmadis with Christians. Shaikh Nur Muhammad asked Mirza Sahib to accept his resignation from the Jamaat (Jamaate Ahmadiya) on which he replied "tell Shaikh Noor Muhammad that not only is he dissociated from the Jamaat but he is also severed from Islam (Seerate Mahdi, Vol. III page 49).

It is well known that Sir Zafarullah Khan Ex-Foreign Minister of Pakistan did not offer the funeral prayer of Quaid-e-Azam. According to 'Zamindar' dated 8th of February, 1950 Maulana Mohammad Ishaq, Khateeb of Jamia Mosque Abbotabad asked Sir Zafarullah for the reason for non-participation in the prayer. He replied that he considered Quaid-e-Azam to be only a political leader. He was asked whether he also held the muslims to be unbelievers on account of their disbelief in Mirza Sahib, "although you are a Minister in the Government". Sir Zafarullah said you may treat me as a Muslim servant of a Kafir (heretic) Government or a heretic servant of the Government of Mussalmans.

Mr. Mujeebur-Rehman could not contradict the position taken by Sir Zafarullah. It is, therefore, established beyond any shadow of doubt that as Sir Zafarullah Khan put it, either the majority of people living in Pakistan are unbelievers (Kafir) or the Qadianis are unbelievers which means that the twain shall never meet and be the members of the same ummah. There is no meeting point because of the belief of the Muslims in the finality of prophethood and the contrary belief of the Qadianis who believe in Mirza Sahib as a new Prophet. The Qadianis have been held to be a threat to the integration of the Muslim ummah and the torch bearers of the forces of disintegration by the great luminary of the Muslim society who said that "it (the Muslim Ummah) is secured by the idea of the finality of prophethood alone" (Thoughts and Reflections of Iqbal page 249). He further said :—

"After all, if the integrity of a community is threatened, the only course open to that community is to defend itself against the forces of disintegration.

And what are the ways of self-defence? Controversial writings and refutation of the claims of the man who is regarded by the parent community as a religious adventurer. Is it then fair to preach toleration to the parent community whose integrity is threatened and to allow the rebellious group to carry on its propaganda with impunity, even when the propaganda is highly abusive?" (ibid, P. 253).

The loyalty and love of Mirza Sahib for the Imperialist and Colonialist British Government is axiomatic. Almost in each of his books he had devoted at least some pages for extolling the British Government and so was done by his successors. A few examples of such writings are given below :—

(a) Some foolish persons asked whether it will be correct to fight with this Government in Jehad or not. They should remember that this question of theirs is one of extreme stupidity because how can one enter into Jehad against one gratefulness for whose Ehsan (احسان) (beneficence) is a bounden duty. I speak the truth that to wish ill of one who

has been benevolent is the act of a bastard and a scoundrel. So my belief which I have been manifesting again and again is that there are two parts of Islam, one is that they should obey God and the other is that they should obey this Government which assured (us) peace and has given us shelter from the tyrants (*Shahadatul Quran* published in 1893, page 3).

(b) The wise who on the one hand finds in my writings support for the religion and on the other hand listens to my advice that fulfilled loyalty should be given to this Government and their good and welfare should be wished, cannot mistrust me and why should they do so. It is a truth that the Muslims are subject to the divine and prophetic order that they should be loyal to the Government to whom they are subject. I have elaborated these religious orders in detail in my books. The Government can now consider the extent to which my father had been a well-wisher of the Government, My brother walked into his foot-steps (in this respect) and I am also rendering service (to the Government) through my pen for the last 19 years (*Kashful Ghata* published in 1898, page 10).

(c) And I have made it clear in the conditions of oath of fidelity (يمين) clause 4 that they should wish well to the British Government, show true compassion for the humanity, refrain from adopting methods of enraging others and show themselves as models of piety, virtuous and free from depravity and evil doing (*Kitabul Bariyyah* published in 1898, page 12).

(d) The Deputy Commissioner ordered that if any trouble is caused to the Ahmadis then all the leaders of the Musalmans shall be expelled from the country under the new law. Such an order cannot emanate except from a person whose sympathies extend to the entire humanity. This fresh treatment was meted out by this Government to your Malabari brothers and who-ever shows kindness to one's brother,

shows it to that one. Thus we should be grateful to our Government because the Malabari Ahmadis are our brothers. One of our preachers had gone to Mauritius. The non-Ahmadi decided that he must not (be allowed to) deliver his lecture wherever he might wish. He petitioned to the Government for (allotment of) the Government-hall. The Governor allowed him to deliver his lecture in that hall for 3 days in a week, thus giving half of the week to our preacher and keeping the other half for himself. (*Anwar-e-Khilafat* by Bashiruddin Mahmood Ahmad, page 96).

(e) In *Kitabul Bariyyah* at pages 7 and 8 are given the names of the books, their dates of publication and the number of pages in which the British Government is extolled by Mirza Sahib. He made reference to 24 books and pamphlets in which he had praised and spoken highly about the British Government. The number of pages amounted to several dozens at least 11 years before his death.

Mir. Riaz-ul-Hasan Gilani argued on the basis of these few illustrations that the unflinching loyalty of Mirza Sahib to the British Government was not without reason and purpose. He made it an article of faith for his followers and a part of their oath of fidelity for him. He also banned *Jehad* for which there are specific Quranic orders. Mirza Sahib was more loyal than the king himself because the Ahmadi Movement had the blessings of the Government and was started on their instructions and under their blessed protection. The interest of the Government after the war of independence of 1857 was to cause disintegration and disharmony in the Muslim Ummah and carving out a new religion out of Islam served that purpose.

The learned counsel criticised the abolition of *Jehad* by Mirza Sahib as opposed to the Quran. In order to establish his point he referred to the writings of Mirza Sahib and gave the following few illustrations :—

1. "O Friends give up the idea of *Jehad* now. It is now prohibited in religion to engage in war and assassination.

The Messiah has come now and he is the guide in religion. Now is the end of all religious warfare. Descends from the heavens (جنت) the light of God; the verdict of war and Jehad is now preposterous. He is an enemy of God who indulges in Jehad and a denier of the Prophet who entertains his belief in it. (Tuhfa-e-Golarviya published in 1902, page 41 poem of Mirza Sahib).

2. It (the breaking of cross) cannot mean that the wooden cross which is hung by the Christians will be broken by the promised Messiah. It points out to another truth which is the same as brought by us. We have declared with full clarity that Jihad is now prohibited. As that (to establish peace) is the function of the promised Messiah so it is his concern to do away with war. For this purpose it was essential for us to give a verdict about the prohibition of Jehad. We, therefore, say that it is prohibited and is an act of worst sin to draw sword or lift weapons now in the name of religion (Malfuzat Vol. 4, published in 1902, page 18).
3. The Injunction about Jehad is abolished during the time of the promised Messiah (Arbain 4, published in 1900, page 15)
4. My principal beliefs and instructions for guidance do not contain anything concerning warfare and violence and I believe that with the increase in my followers the number of those who believe in Jehad will decrease because belief in me as Messiah and Mehdi is repudiation of Jehad (Majmua-e-Ishtihar Vol-3, from 1898 to 1908, page 19).

It is unnecessary to add such citations which are numerous.

Mr. Mujeebur-Rehman argued that Mirza Sahib was not the only person in the 19th century or the early 20th century to show loyalty to the British Government but a number of Ulema and Intellectuals in the country had written something or the other

in the praise of the Imperialist Power.

From the citations given by Mr. Mujeebur Rehman it appears that the Ulema had taken various factors into consideration while opposing Jehad. The main factor was that the Muslims had been subjugated but they enjoyed religious freedom and were governed by their personal law. Another factor taken into consideration by some Ulema was that Jehad was not permissible as there was no Imam to lead and no weapons to fight. It means that the impossibility of winning in Jehad was one of the reasons for most of such verdicts.

The matter is not so simple as was put by Mr. Mujeebur Rehman. Before elaborating the point it may be stated that the principle of يضع الحرب i.e. putting an end to war in relation to the promised Messiah only means that on account of the preponderance of Islam which will be the result of murder of the anti-Christ, of the breaking of Cross and of the killing of pigs, there shall be no unbelievers in the world. It does not mean that the rule of the un-believers shall not be resisted. The principle of يضع الحرب (putting an end to war) did not apply at all to the conditions prevailing during the period when Mirza Sahib abrogated the Quranic order of Jehad and abolished it.

It is also not correct that he suspended Jehad only for a short period. The citations given above refute this assertion. The Hadees of (Putting an end to Jehad) on the advent of Messiah means the absolute elimination of Jehad. Reliance on it for abolition of Jehad negatives the possibility of the order of abolition being of a transitory nature.

The matter has to be looked at in the context of the political situation in the Province of Punjab. It was a time when the entire feudal or Landlord class was known as a class of Toadies who would go to any length to please the Ruling Power. They considered it a matter of pride to wait upon an Englishman.

It is clear from the writings of Mirza Sahib that his family including his brother and himself continued their unflinching loyalty for the Britishers.

The writings in which he extolled the Britishers are not without any purpose. One of the purposes is clear from the above citation that the Ahmadis were under the shelter of the British Government. The other citation about Mauritius proves that they were the favourites of that Government as notwithstanding opposition by Muslims to the delivery of lectures about Ahmadism by the Ahmadi Preacher, the Government of Mauritius allowed the Government Hall for 3 days in each week to enable the Preacher to preach Ahmadism. The praise of the British Government by Mirza Sahib crossed the limit of even flattery and sycophancy. It is certain to raise doubts in the minds of the public that either he was playing the role assigned to him by that Government to cause disintegration among the Muslim Ummah and to condemn them to perpetual slavery or he was after acquiring benefits from it.

The argument that other Ulema had given similar verdict does not fit in because it is not a stray opinion or stray verdict in favour of the Government but a continuous process of freeing the bait.

It is difficult to treat it as an accident that Mirza Sahib, a claimant of being a Mujaddid, the promised Messiah and Mehdi and a Prophet extolled the British Government and in Iran near-about the close of the 13th century and after, Mirza Ali Muhammad Bab, founder of the Babi religion and Hussain Ali (Bahaullah founder of the Bahai religion) had eulogized the Russians. In addition Bahaullah had extolled the English Government also and both of them had abrogated Jihad. Bahaullah in fact decreed abolition of Jihad in the same manner as Mirza Sahib.

At the end of the discussion on this point it would be pertinent to cite the views and reasoning of Allama Muhammad Iqbal:-

"Does the idea of Caliphate in Islam embody a religious institution? How are the Indian Muslims, and for the matter of that all Muslims outside the Turkish Empire, related to the Turkish Caliphate? Is India Dar-ul-Harb or Dar-ul-Islam? What is the real meaning of the doctrine of Jihad in Islam? What is the meaning of the expression "From amongst you" in the Quranic verse : Obev God, obey the Prophet and the

masters of the affair, i.e. rulers, from amongst you? What is the character of the Traditions of the Prophet foretelling the advent of Imam Mahdi : These questions and some others which arose subsequently were, for obvious reasons, questions for Indian Muslims only. European imperialism, however, which was then rapidly penetrating the world of Islam, was also intimately interested in them. The controversies which these questions created form a most interesting chapter in the history of Islam in India. The story is a long one and is still waiting for a powerful pen. Muslim politicians whose eyes were mainly fixed on the realities of the situation succeeded in winning over a section of the Ulama to adopt a line of theological argument which as they thought suited the situation; but it was not easy to conquer by mere logic the beliefs which had ruled for centuries the conscience of the masses of Islam in India. In such a situation logic can either proceed on the ground of political expediency or on the lines of a fresh orientation of texts and traditions. In either case the argument will fail to appeal to the masses. To the intensely religious masses of Islam only one thing can make a conclusive appeal, and that is Divine Authority. For an effective eradication of orthodox beliefs it was found necessary to find a revelational basis for a politically suitable orientation of theological doctrines involved in the questions mentioned above. This revelational basis is provided by Ahmadism. And the Ahmadis themselves claim this to be the great service rendered by them to British imperialism'

He summed up at page 31 :

"As I have explained above, the function of Ahmadism in the history of Muslim religious thought is to furnish a revelational basis for Indias' present political subjugation."

One of the petitioners, Mr. Mujeebur Rehman, who argued the case gave the following formulations for his arguments :

- (1) Scope and extent of Article 203-D.

- (2) The principles of understanding the Quran.
- (3) The spirit of the Quran.
- (4) The scope of the right to profess and practise the religion.
- (5) The right to propagate one's religion.
- (6) The effect of the various covenants between the Quadianis and Muslims before and at the time of creation of Pakistan which ensures for them complete freedom of religion including the right to propagate it.

Mr. Mujeebur Rehman argued upon the scope of Article 203-D in relation to the limitations on the power of the State and the authority conferred upon the Federal Shariat Court. He submitted that according to Quran and the Sunnah there is no obedience to any order involving commission of sin or disobedience of Allah and His Prophet. This is based on the famous tradition."
لَا طَاعَةَ فِي مُعْصِيَةِ اللَّهِ (There is no obedience in sin) (Bokhari Kitab-ul-Ahkam, vol. 2, pages 1057 and 1078) and similar other traditions. Relying upon Q. 4 : 59

يَأَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَئِكَ الْأَمْرِ مِنْكُمْ
 فَإِنْ تَنْزَعُمُ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ
 وَالْيَوْمَ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

Q. 4 : 59 O ye who believe ! Obey Allah, and obey the messenger and those of you who are in authority; and if ye have a dispute concerning any matter, refer it to Allah and the messenger if ye are (in truth) believers in Allah and the Last Day. That is better and more seemly in the end

he argued that the verse refers to the dispute between the ruler and the ruled. He submitted that by the expression *Ulul-Amr* in the verse are meant only the persons in authority and not the

Ulema or any other religious scholar as held by some of the scholars. He further submitted that the wisdom in Article 203-D is that it has been enforced for the avoidance and resolution of conflict in loyalties to Allah and to others including the State. For the first proposition he cited from several books.

For the second point he particularly drew the attention of the Court to the view in Tarjmanul Quran Vol. I, page 98, that there should be an institution for deciding the dispute referred to in the order

(Q. 4 : 59)

فَإِن تَنَزَّلُمُ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

(and if you have a dispute concerning any matter; refer it to Allah and the Messenger), and argued that this Court is such an Institution.

It is not necessary to cite from any book on the interpretation of Ulul Amr or to discuss this point since the point raised is unexceptionable and has been held so by this court in case No. S.P. K-2 of 1982. It was held that by Ulul Amr are meant the persons in authority including the Legislature, Executive and the Judiciary in the State.

It is laid down in Article 203-D of the Constitution that the function of this Court is to eliminate the discrepancy and repugnance with the Quran and the Sunnah of the Holy Prophet (P.B.H.) from any law over which the Court's jurisdiction extends. It, therefore, appears to be correct that to the extent of its constitutional jurisdiction the Court is an Institution as contemplated in Tarjamanul Quran, Vol. I, page 98, which can decide a dispute in respect of vires of a law viz-a-viz the Injunctions in the Quran and the Sunnah of the Holy Prophet (P.B.H.). There is hardly any cavil with this argument of Mr. Mujibur Rehman.

The argument that there is no obedience in sin is also unexceptionable. This Court has already dealt in detail with this point as well as the scope of legislative power of a Muslim State in the recent judgments on the Press and Publications Ordinance, 1963

(Ordinance XXX of 1963) and the Civil Servants Acts of the Punjab, Sind, NWFP and Baluchistan.

On the second point he argued that what has been declared by the Quran and the Sunnah as lawful cannot be made unlawful by the State Authorities and for this one must look at the specific ness (verse). He laid stress on the necessity of ignoring Taqleed.

This in effect is an indirect challenge to the right of the Parliament to declare the Quadianis non-Muslims. The short answer to this point is that as stated by Allama Muhammad Iqbal this is a legal question. The Parliament, the Law making authority, therefore, acted within its authority in making the declaration in Article 260 of the Constitution. Allama Muhammad Iqbal said :

“. the question whether a person or community has ceased to be a member of Islam is, from the point of view, purely legal question and must be decided in view of the structural principle of Islam”.

A similar argument as mentioned above was also addressed by Sh. Ghias Muhammad, Counsel for the Federal Government. This Court has already decided this point and the scope of its jurisdiction while examining the Provincial Civil Servants Acts. It was held that the Court's jurisdiction is not limited to specific ness of the Quran and the Sunnah. The Court can while examining the vires of any law go into the principles laid down by the Quran and the Sunnah. The Court also held in the case of Muhammad Riaz etc. Versus Federal Government etc. PLD 1980 FSC I, that in public law it was not bound by the doctrine of Taqleed. This is sufficient to assuage the apprehensions of Mr. Mujibur Rehman.

Mr. Mujibur Rehman then dealt with the principles of understanding the Quran. He submitted that the first principle is that the Quran be interpreted in the light of Quran itself since it deals with each subject matter in different ways. The object of repetition is to engrave the subject matter on human memory. Some-

times the subject matter has been treated shortly at one place and elaborated at another.

He referred to Quranic verses :—

Q. 6 : 106

وَكَذَلِكَ نُصَرِّفُ الْآيَتِ وَلَيَقُولُوا دَرَسْتَ وَلَيُبَيِّنَهُ
لِقَوْمٍ يَعْلَمُونَ

'Thus do We display Our revelations that they may say (unto thee Muhammad) : "Thou hast studied", and that We may make (it) clear for people who have knowledge'.

Q. 17 : 89

وَلَقَدْ صَرَّفْنَا لِلنَّاسِ فِي هَذَا الْقُرْآنِ مِنْ كُلِّ مَثَلٍ فَابْنَ أَكْثَرَ
النَّاسِ إِلَّا كُفُورًا

'And verily We have displayed for mankind in this Quran all kinds of similitudes, but most of mankind refuse aught save disbelief'.

Q. 17 : 41

وَلَقَدْ صَرَّفْنَا فِي هَذَا الْقُرْآنِ لِيَذَكُرُوا وَمَا يَرِيدُهُمُ إِلَّا نُفُورًا

'We verily have displayed (our warnings) in this Quran that they may take heed, but it increaseth them in naught save aversion'.

Q. 18 : 54

وَلَقَدْ صَرَّفْنَا فِي هَذَا الْقُرْآنِ لِلنَّاسِ مِنْ كُلِّ مَثَلٍ وَكَانَ
الْأَنْسَنُ أَكْثَرَهُنِي بِجَدَلٍ

'And verily We have displayed for mankind in this Quran all manners of similitudes, but man is more than anything contentious'.

There is no dispute with these principles. During the course of argument Mr. Mujibur-Rehman had been drawing our attention to various verses of the Holy Quran which according to him are not controlled by the reason for revelation and have to be treated as general in scope.

The second principle which he submitted, is that in order to understand a verse it is necessary to find out the reason for its revelation. This is helpful in the understanding of a verse though its meanings are not limited or particularised by the reason of revelation. The generality in the scope of its applicability is not cut down. It includes guiding principles applicable till the day of judgment. He sought support from Al-Itqan (vol. I, about the ninth classification of reasons of revelation, pages 70 to 87).

The third principle is to consult the Sunnah of the Holy Prophet (P.B.H.) if there is no guidance in the Quran. The last principle is that in case no light is thrown by Sunnah the next source to seek guidance for interpretation is the As'ar (what the Companions of the Holy Prophet (P.B.H.) said). He urged the spirit of the Quran shall be properly understood and kept in view.

On the fourth point which includes freedom of belief and right to practise one's religion, Mr. Mujibur Rehman submitted that a few questions arise in this connection :—

- (1) Does Islam entitle or allow a non-Muslim to declare the unity of Allah?
- (2) Does Islam entitle and allow a non-Muslim to acknowledge the Holy Prophet (P.B.H.) as truthful in his claim?
- (3) Does Islam entitle non-Muslim to acknowledge the Quran as furnishing a good Nizam-e-Hayat (نظام حیات) i.e., way of life and to treat it as worthy of obedience?

- (4) Is this permissible or not for a non-Muslim to act upon the Injunctions of the Holy Quran if he so likes?
- (5) If the answer be in the negative where is the Injunction in the Quran and the Sunnah in support of the negation?
- (6) What course of action does the Quran propose or provide for a person who is not considered Muslim nor has any right to be so considered by believers, in the truthfulness of Quran in the Prophethood of Muhammad Rasoolullah (P.B.H.) and the oneness of Allah?

Relying upon verses Q.2 : 256, Q.8 : 29, Q.10 : 99, Q.10:108 Q.26 : 3, Q.90 : 10, Q.91 : 8, Q.91 : 9, Q.91 : 10 and commentaries of renowned commentators he summed up that according to the Injunctions of Islam.

- (a) there should be no compulsion for accepting religion ;
- (b) there should be no restraint against voluntary conversion to it ;
- (c) no one may be turned out of his religion by use of force; and
- (d) no one who does not want to stick to his religion should be stopped from forsaking it.

He also referred to verses :—

Q.16 : 106

مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْثِرَ
وَقَلْبُهُ مُطْمَئِنٌ بِالْإِيمَانِ وَلَكِنَّ مَنْ شَرَحَ إِلَى الْكُفَّارِ صَدَرَ
فَعَلَيْهِمْ غَضَبٌ مِنْ اللَّهِ وَلَهُمْ عَذَابٌ عَظِيمٌ

'Whoso disbelieveth in Allah after his belief — save him who is forced thereto and whose heart is still content with Faith — but whoso findeth ease in disbelief : on them is wrath from Allah. Theirs will be an awful doom'.

Q.4 : 19

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرْنَهَا
وَلَا تَعْصُمُوهُنَّ لِتَذَهَّبُوا بِعِصْمَ مَآءَةِ اتِّيَّشُوهُنَّ لَا أَنْ يَأْتِيَنَّ
يَقْدِحُشُهُ مُبِينَةً وَعَالِيَّرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهُتُمُوهُنَّ
فَعَسَى أَنْ تَكْرَهُوْهُنَّ أَشْيَاً وَمَحْلُّ اللَّهِ فِيهِ خَيْرٌ كَثِيرٌ

'O ye who believe ! It is not lawful for you forcibly to inherit the women (of your deceased kinsmen), nor (that) ye should put constraint upon them that ye may take away a part of that which ye have given them, unless they be guilty of flagrant lewdness. But consort with them in kindness, for *if ye hate them it may happen that ye hate a thing wherein Allah hath placed much good*'.

Q.2 : 256

لَا إِكْرَاهَ فِي الدِّينِ قَدْ بَيَّنَ الرُّشْدُ مِنَ الْغَيِّ فَمَنْ يَكْفُرُ
بِالظَّلْعَوْتِ وَيُؤْمِنُ بِاللَّهِ فَقَدْ أَسْتَمْسَكَ بِالْعُرْوَةِ
الْوُثْقَى لَا أَنْفَصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ

'There is no compulsion in religion. The right direction is henceforth distinct from error. And he who rejecteth false deities and believeth in Allah hath grasped a firm handhold which will never break. Allah is Hearer, Knower'.

Q.6 : 108

وَلَوْ شَاءَ اللَّهُ مَا أَشْرَكُوكُوْا وَمَا جَعَلْنَاكُوكُوْا عَلَيْهِمْ حَفِيظًا وَمَا أَنْتَ عَلَيْهِم بِوَكِيلٍ

Had Allah willed, they had not been idolatrous. We have not set thee as a keeper over them, nor art thou responsible for them'.

Q.10 : 99

وَلَوْ شَاءَ رَبُّكَ لَأَمِنَ مَنْ فِي الْأَرْضِ كُلُّهُمْ جَمِيعًا أَفَأَنْتَ تُنْكِرُهُ النَّاسَ حَتَّىٰ يَكُونُوا مُؤْمِنِينَ

'And if thy Lord willed, all who are in the earth would have believed together. Wouldst thou (Muhammad) compel men until they are believers'?

Q.10 : 108

قُلْ يَا أَيُّهَا النَّاسُ قَدْ جَاءَكُمُ الْحَقُّ مِنْ رَبِّكُمْ فَمَنِ اهْتَدَى فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ وَمَنْ ضَلَّ فَإِنَّمَا يَضْلُلُ عَلَيْهَا وَمَا أَنَا عَلَيْكُم بِوَكِيلٍ

'Say : O mankind! Now hath the Truth from your Lord come unto you. So whosoever is guided, is guided only for (the good of) his soul, and whosoever erreth, erreth only against it. And I am not a warder over you'.

Q.26 : 3

لَعَلَّكَ بَدْعَجُ تَسْكَ أَلَا يَكُونُوا مُؤْمِنِينَ

'It may be that thou tormentest thyself (O Muhammad) because they believe not'.

Q.26 : 4

إِنْ شَاءَنَا نَزَّلْ عَلَيْهِمْ مِنَ السَّمَاءِ مَا يَهْدِ فَظَلَّتْ أَعْنَقُهُمْ لَمَّا خَضَعُوا

'If we will, We can send down on them from the sky a portent so that their necks would remain bowed before it.'

Q.90 : 10

وَهَدَيْنَاهُ التَّجْدِيدَ

'And guided him to the parting of the mountain ways'.

Q.91 : 9

قَدْ أَفْلَحَ مَنْ زَكَّنَهَا

'He is indeed successful who causeth it to grow'.

Q.91 : 10

وَقَدْ خَابَ مَنْ دَسَّنَهَا

'And he is indeed a failure who stunteth it'.

Q.18 : 29

وَقُلِ الْحَقُّ مِنْ رَبِّكُمْ فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيَكْفُرْ
 إِنَّا أَعْنَدْنَا لِلظَّالِمِينَ نَارًا أَحَاطَ بِهِمْ سَرَادِقُهَا وَإِنْ
 يَسْتَغِيْثُوا يَعْثُوا بِمَا كَالْمُهَلِّ يَشْوِي الْوُجُوهَ يَشْ
 الشَّرَابُ وَسَاءَتْ مُرْتَفَقًا

'Say : (it is) the truth from the Lord of your (all). Then whosoever will, let him believe, and whosoever will, let him disbelieve. Lo! We have prepared for disbelievers Fire. Its tent encloseth them. If they ask for showers, they will be showered with water like the molten lead which burneth the faces. Calamitous the drink and ill the resting-place'!

Verses Q. 109 : 4, 109 : 5 and Q. 109 : 6, clinch this matter and leave everyone to his religion. It is as follows :—

Q.109 : 4

وَلَا أَنَا عَابِدٌ مَا عَبَدْتُ

'And I shall not worship that which ye worship'.

Q.109 : 5

وَلَا أَنْتُ عَابِدُونَ مَا عَبَدْتُ

'Nor will ye worship that which I worship.'

Q.109 : 6

لِكُفُورِ دِينِكُوكَ وَلِيَ دِينِ

'Unto you your religion, and unto me my religion'.

Commenting on the verse Q.10 : 100 Syed Qutab wrote : "It is said that if Allah wished to compel all mankind He would have done so and have left no one with a discretion to the contrary. But the divine wisdom some of which we know invests mankind with the capacity to do good or commit mischief; to be guided or remain mis-guided. Belief is a matter based on discretion. Even the Holy Prophet (P.B.H.) cannot compel anyone to accept it because there is no scope for compulsion in matters concerning heart (قلب) or conscience (Fizilal-il-Quran, part 11 page 188).

The commentary known as Tafseer-e-Ruhul-Bayan by Ismail Haqqi (Vol. 4, page 84) is to the same effect. It is stated that it is not within the wisdom of Allah to base the creation of mankind on the principle that everyone should be a believer. The divine principle is that a person may believe or may not believe according to his own liking. It is stated further that when Allah found that His Prophet (P.B.H.) wished that all persons should believe, He revealed this verse and suspended the belief of his (Prophets') people on His will or pleasure and said to him your creator does not wish this but do you want to compel on what Allah does not will (that all persons may become believers.).

The commentary refers to the view of Al-Kashfi that this verse was abrogated by the verse about Jihad, but added that the correct position is that it is not abrogated because the compulsion in matter of faith is not correct as this is a matter pertaining to

heart. Also see Madarik-ul-Tanzeel, Vol. 2, page 38. Al-Man'ar part 11, pages 483-484, Ma'ariful-Quran, Vol. 4, page 577, Tafseerul-Maraghi, part 11, page 158.

وَمَا جَعَلْنَاكَ عَلَيْهِمْ حَفِظًا وَمَا أَنْتَ عَلَيْهِمْ بِوَكِيلٍ

The words (we have not set thee as a keeper over them, nor art thou responsible for them) in Q.6 : 108 have been similarly interpreted (See Tafseerul Maraghi, part 7 , page 211, Ruhul Bayan, Vol. 3, part 4, page 48, Al-Man'ar, Vol. 7, pages 501-502, Fi-Zilal-il-Quran,part 7, pages 305-306, Ma'ariful -Quran, Vol. 3, page 413, Tafseerul Kabir by Razi, part 12, page 103).

In Al-Man'ar the functions of a Vakeel or keeper are stated and it is said that the Holy Prophet (P.B.H.) was sent by Allah to acquaint the people or teach them the religion or give good news to them or inform them about adverse consequences if they do not believe and thus establish the religion of Allah. These are the functions of the Prophet but he is not a keeper over them from the Creator. He was not empowered to interfere with his people to the extent of using compulsion in respect of belief. According to Fi-Zilal-il-Quran (commentary by Syed Qutab Shaheed) the verse involves the formulation of the Ummah.

All commentators have dealt with the principle of Ikrah or compulsion in religion. See Al-Mughni, part 8, page 243, Tafseer-e- Baizawai, Vol. I, page 362, Madarik-ul-Tanzeel, part I, page 170, Fi-Zilal-il-Quran, part 3, pages 26-28, Al-Maraghi, part 3, page 16, Al-Man'ar, page 3, page 36, Al-Maraghi, part 13, page 53, Al-Man'ar, part 9, page 665, Tarjmanul Quran, Vol. I, page 267, Tafheemul.Quran, Vol. I, page 196, Ruhul-Ma'ani, Vol. 3, pages 12-13.

According to Al-Mughni one view is that mere threat may amount to Ikrah. According to Al-Man'ar, Vol. 3, page 16, belief is the real religion. It is obtainable by satisfaction of mind. It is not possible that satisfaction of mind may be obtained by compulsion. The only course for achieving is that of arguments and reasons.

The important point (see Al-Man'ar, Vol. 9 page 665) is that it is not permissible to compel a person to give up his belief. The right not to be compelled is treated a fundamental right (Fi-Zilal-il-Quran, Vol. 3, pages 26-28).

Reliance was placed for interpretation of Q.18 : 29 on Al-Maraghi, part 15, page 143. Fi-Zilal-il-Quran, part 15, page 95, Tafseerul-Mazhiri, Vol. 6, page 10, Tafheemul-Quran, Vol. 3, page 23. It is clear from this verse that it gives an option to each man to accept a belief or not.

The sum and substance of all the arguments based on these verses is that there is no compulsion in matter of religion and this is not the scheme of Allah that all persons should believe. The Holy Prophet (P.B.H.) was sent only for the purpose of making His message known ; it was never intended that he should compel people to accept Islam. There is nothing in the Quran and the Sunnah which may permit placing of restrictions upon non-believers against believing in the unity of God, the truthfulness of the message and reason of the Holy Prophet (P.B.H.) the message of the Quran or making the Quran their grund norm. Similarly it is not lawful to turn a person by force out of the religion he wishes to stick to. He added that the Ordinance amounts to turning the Quadianis by force out of the religion of Islam to which they would like to stick. In this connection the meaning of the word *Ikrah* was also commented upon that it is not restricted to use of force only but extends to creating conditions under which it may not be conducive to profess or practise one's religion.

The first four questions posed by Mr. Mujibur Rehman have to be answered in the affirmative. There is no bar — Constitutional, legal or Sharii against the right of a non-Muslim to declare the unity of Allah, to acknowledge the Holy Prophet (P.B.H.) as truthful in his claim, to acknowledge the Quran as furnishing a good way of life and to act upon its Injunctions. The 5th question does not arise in view of the affirmative answer of the 4th question. A clear answer to the 6th question is that such a non-Muslim is to be dealt with like other minorities, subject to the conditions

imposed by the Quran and the Sunnah which shall be considered at the appropriate place.

The four principles formulated by Mr. Mujibur Rehman in regard to 'Ikrah' (إكراه) (compulsion) are also unexceptionable but the application of the third principle as done by Mr. Mujibur Rehman is not correct. The third principle is that no one may be turned out of his religion by use of force. He adds to this in the written arguments "as we have been turned out". There is nothing in the impugned Ordinance that they have been turned out from their religion.

It was argued that to restrain the Ahmadis from calling themselves Muslims or posing as such amounts to turning them out of their religion which according to them is Islam. We have already considered this question and have reached the conclusion that the Quadianis of either persuasion are not Muslims but are non-Muslims. The Ordinance, therefore, restrains them from calling themselves what they are not; since they cannot be allowed to deceive anybody specially the Muslim Ummah by passing off as Muslims. It has already been noticed that Mirza Sahib and the Quadianis other than belonging to the Lahori Group have turned the table upon the Muslims by calling them non-Muslims and beyond the pale of Islam and by substituting them as the Muslim Ummah for a community in which love and reverence of the Quran is supreme. This cannot be tolerated and non-Muslims cannot be allowed to encroach upon the rights and privileges of the Muslim community to the utter disintegration of the Ummah. Moreover this does not affect the rights of the Quadianis to profess their faith in Mirza Sahib whether as a Prophet or as a Mujaddid, Promised Mehdi or Promised Messiah nor does it interfere with their right to practise their religion or to worship in their place of worship according to its dictates.

The Muslim Sharia affords full protection to the practice of religion by the non-Muslims as well as to its profession. This finds support from the Verses of the Holy Quran reproduced above and the interpretation of the same by the commentators. It is for this reason that the Holy Prophet (P.B.H.) and his worthy

The Ordinance does not effect
the rights of
Quadianis

muslims
Quadianis are not

successors agreed to the best terms inter-alia in connection with the freedom of religion to the Polytheists and non-Muslims whether at war with Muslims or not.

The first step in this direction which was taken by the Prophet (P.B.H.) was the written Covenant with the Jews, Christians and other non-Muslims of Medina. The first Article of this Covenant establishes in the language of Dr. Muhammad Hamidullah that "all those who were parties to the agreement were considered to be as one Ummah (community)". This was clearly an attempt to make a political nation which could assist Muslims as well as non-Muslims.

In Article 26 of the Covenant it is stated that the Jews of Bani Auf are an Ummah with the Muslims which means that they formed a political unit on the basis of political alliance. The parties to the agreement who consisted inter-alia of Muslim Ummah agreed by the Covenant to be moulded into a political Ummah which was given the name of اُمّةٌ مُّتَّبِعةٌ دُوْنِ النَّاسِ (a political entity as against others) (Article 1) and اُمّةٌ وَاحِدَةٌ (a united political entity) (Article 26).

After the formation of اُمّةٌ وَاحِدَةٌ دُوْنِ النَّاسِ were described their respective rights and obligations in which it is implied that each one had the right to profess and practise his religion. This was, however, specifically provided in Article 26 that the Jews shall follow their religion and the Muslims shall follow theirs. (See Ib-e-Hashsham Urdu Translation, Vol. I, page 554).

In Al-Haroon Albramkah by Umar Abunnasar (Urdu Translation by Shaikh Muhammad Ahmad Pani Pati at pages 278-279) it is stated that in the time of Haroon-ur-Rashid there is not one example of prejudice or intolerance. In Syria, Egypt and Rome Christians had a general permission to construct Churches to worship in them and to take out the procession of the Cross. The Jews had complete right to worship in their Synagogues. Fire worshippers could keep their fire burning without any restriction and could worship fire. In Sind there was no restriction on the

Hindus to worship in Temple or bowing before their idols. In short there was no compulsion in matter of religions.

In his book Tarikh Al-Tamaddan Al-Islami, Jarji Zaidan Editor of Al-Hilal of Egypt writes (Vol. 3, page 194) that one of the reasons of the hurried progress of the Mussalmans in the educational field was that the Caliphs of Islam had great regard for the Scholars of each nation and each religion and rewarded them generously. They never thought about their religion, lineage or race. Among them were people belonging to every religion i.e., Christians, Jews, Sabians, Samaritans and fire-worshippers. The Caliphs treated them with utmost respect and regard. The non-Muslims had the same freedom and status which the Muslims' Ameers and officers enjoyed.

At page 282 is given an example of the treatment or Haroon-ur-Rashid and the tolerance shown by him towards the Christians. It is stated that "this tolerance was so strong that once being desperate of the successive breaches of promises of the Roman Caeser and the depredations at the border, he asked the Chief Justice, Imam Abu Yousaf, why the Churches of the Christians in the Islamic realm were protected and who allowed them to take out processions of the Cross in the cities. Imam Abu Yousaf daringly replied that during the reign of Hazrat Umar after conquest of Roman Provinces, it was given in writing to the Christians that their churches shall be protected and they had full right to practise their religion and to take out the Cross. Now it was not within the power of any one to abrogate this order.

It is well known that Hazrat Umar refused to distribute the conquered land in possession of the Zimmis, (protected subjects) among the Muslim conquerors, notwithstanding their demand to the contrary. The covenant of amnesty given by Hazrat Umar to the residents of the Baitul ~Maqdas is a historical document, the relevant portions of which are as follows :—

"This amnesty is granted by Amirul Momineen, the slave of Allah to the people of Elia (اَيْلَى). This amnesty covers their lives, property, church, Cross, the healthy and the sick

and all people of their religion. Their Churches shall not be inhabited nor shall be demolished nor their Crosses or properties shall be diminished. There will be no compulsion on them in the matter of religion". (Tarikhe Tabri Vol. II Urdu translation by Syed Muhammad Ibrahim page 501; Covenant 357 pages 304, 305 of Siasi Wasiqa Jat by Dr. Muhammad Hamidullah; Al-Farooq by Shibli Numani Vol. II page 149).

Huzaifa Bin Alyaman gave a writing to the people of Madinah that their religion will not be changed and there will be no interference in their religious matters. (Tarikhe Tabri page 155).

On the occasion of the conquest of Jarjan it was stipulated in a contract that amnesty was given to their lives, property, religion and none of these things shall be changed (*ibid* page 155).

In the amnesty granted by the Holy Prophet (P.B.H.) to the residents of Maqna, Hunain and Khyber it is stated that he had come to know through a divine revelation that these three groups had returned to their houses. Let them return. "There is amnesty for them from Allah and his Prophet (P.B.H.). Not only there is amnesty for your lives but also your religion, property, slave and every thing that you own. In all these things you are under the protection of Allah and His Prophet (P.B.H.). Besides these the following other concessions are granted to them :—

1. Exemption from payment of Jizya.
2.
3.
4. Exemption from forced labour.
5. Exemption from participating in Military Manoeuvres.
6. Exemption from forcing them to vacate their houses for Military exigencies.

7 to 8.

9. Allowed to go out armed.

10. You can fight anyone who attacks you and in such fight you will not be forced to pay the Diyat or be subject to retaliation for the murder of your enemy.

11 to 17.

18. There will be no restriction on your taking your dead bodies.

19. It is incumbent upon the family of the Prophet and all the Muslims to have full regard for your nobles.

20 to 21.

22. It is not permissible in Islam to force a man to become Muslim.

23 to 26.

27. Whoever reads or listens to the subject of this letter and proposes alteration in it or opposes it is subject to condemnation from Allah, His Angels and the entire World. I shall be his enemy (on the day of judgment).

.....

.....

(Siasi Wasiqa Jat Covenant 34 pages 59 to 62).

Covenant No. 94 (ibid pages 96 to 98) is a covenant between the Prophet (P.B.H.) and the Christians of Nijran. It contains most liberal conditions. The relevant conditions about religion are in Articles 8B and 9. The Prophet (P.B.H.) made himself respon-

sible for (the freedom of) their religion and for their soothsayers and religious leaders who lived in seclusion.

The covenant with Said bin Haris and other Christians of his community provided inter-alia for the complete freedom in matters of belief and practice of religion which was undertaken by the Holy Prophet (P.B.H.).(Article 5) and "the protection of their churches, places of worship, monasteries places for rest of travellers whether in hills or plains or in dark caves or whether they are surrounded by populous places or are situated in the valleys or deserts" (Covenant No. 95 ibid page 109). "No Christian can be compelled to become a Muslim" (Article 23) "In religious discourse they should be treated well" (Article 24).

The Order of the prophet (P.B.H.) for the relatives of Salman Farsi, who were fireworshippers (ibid page 331), granted similarly full protection in respect of their religion, (Article 8)", the restoration of their places of worship, their income and the freedom of their expansion and development (Article 4 ibid pages 334 and 335). "If a Christian is the wife of a Muslim she should be free to practise her religion and to consult her religious scholars on matter (concerning religion). Whoever restrains his Christian wife from the practice of her religion is an opponent of this covenant from Allah and his Prophet and he is also a liar" (Article 35).

During his Caliphate Hazrat Umar gave a new amnesty to the people of Najran. He maintained all the facilities and concessions given to them by the Holy Prophet and gave them some additional specific concessions about the protection inter-alia of the manner of their worship, of their clergymen and hermits (Covenant No.98 ibid 114, 115).

Sections 208 and 209 of the Muslim Conduct of State by Dr. Muhammad Hamidullah are as follows :—

"(208) The famous compendium of Hanafite law, viz. al-bahr ur-Raiq, is explicit that the graveyards of non-Muslims should be respected as much as those of Muslims ; and just as their life, property and honour are respected in their life, so

also their bones after their death.

(209) Both Abu Hanifah and Ash-Shafi'iyy agree that if non-Muslims wish to study the Holy Quran or the Hadith of the Prophet, or the Muslim law (fiqh), they cannot be prevented from that."

In section 200 of the book it is stated :

"Muslim law has maintained a considerable distinction between Muslim and non-Muslim subjects. In many respects the latter are better off. They are exempt from the surplus property tax (Zakat) which all the Muslims male or female, young or old, pay every year at the rate of 2½% on their savings, above the minimum of 200 Dirhams (or about £ 2-10). They are also exempt from conscription, whereas all Muslims are subject to compulsory military service. They enjoy a sort of autonomy, their cases are adjudicated by their co-religionists in accordance with their personal law. Their life and property is protected by the Muslim State even as those of the Muslim subjects."

In *Tareekh-i-Afkare-i-Siyasat* (تاریخ افکار سیاسی) Abdul Waheed Khan writes at page 181 about the religious tolerance of Muslims :-

"Almost in every age religious tolerance has been a distinctive feature of the Muslim State. There are instances when some times religious restrictions on the Muslims were imposed by the Government and many a time Muslims had to suffer desparately when they were made to account for their religious beliefs (which may be in variance with the belief of the monarch). But the history is unable to furnish any example of the equality of treatment afforded to and the liberty in matters of religion enjoyed by non-Muslims as a subject of a Muslim State."

He writes that in Islamic States there was complete religious liberty and members of different religions used to practise their religion in their own manners (according to their conscience). It

was the duty of the Government to protect their places of worship. Some instances of oppressions suffered by Zimmis can be traced down to the time of Mutawaqqil Al-Allah but one reason for it was that at that time non-Muslims had started conspiring against the established Government, and such conspiracies were held in their places of worship. It was for this reason that their movements had to be restricted and their dresses had to be prescribed by the Government. Otherwise Mutawaqqil Al-Allah personally was absolutely an unorthodox person and was a supporter of religious tolerance.

He further writes that Abbasi Government went so far in religious tolerance that the followers of Maani who could not have any asylum in Iran although it was their own country (homeland), were permitted to propagate their ideas in Baghdad. Similarly the learned people of India, Jews and Christian Missionaries used to propagate their religion in Islamic Countries without any restriction. During the Rule of Banu Ummayya the non-Muslims were appointed to high offices of the State but during the period of Banu Abbas a non-Muslim was appointed a Prime Minister. The Prime Minister of Mohtashim i.e. Fazal bin Marwan was a Christian and during his tenure the entire management of Baitul Hikmat in which the books of different subjects were translated was in the hands of non-Muslims. The importance obtained by Jibrail family in the Court of Banu Abbas is a famous historical event.

Abdul Rahim in Muhammadan Jurisprudence (reprint 1958) refers at page 251 to a tradition of the Holy Prophet from Raddul Mukhtar, (Vol. III, page 319-20) 'Leave alone the non-Muslims and whatever they believe in'. It is on this principle that according to him Shafei verdict is that Muhammadan Law will abstain from interfering with a non-Muslim drinking alcohol while "in Abu Haneefa's opinion, the law will also uphold the sale of wine by a non-Muslim, and will hold a person who destroys it liable to damage. Similarly, according to him the law will not interfere with a Magian subject of the Muslim State marrying a person within the prohibited degrees of relationship as reckoned in Islam, and the Court will, if called by the wife, pass a decree against him for her maintenance."

In his book 'Islami Riyasat' Maulana Maudoodi stated that:

"Zimmis are of two types. Firstly those who while achieving the guarantee from the Muslim State entered into a contract with it and secondly those who obtained the guarantee without such contract. The first type of Zimmis will be governed by the terms of the contract. So far as the second kind of Zimmis is concerned, it is clearly implied that 'we shall safeguard their lives, property and honour in the same manner as we protect our own lives, property or honour. The price of their blood will be the same as the price of the blood of Muslims. They will have perfect liberty to profess and practise their religion. Their places of worship will be immune. They will have a right to arrange for their religious education and the Islamic education will not be thrust upon them.' (page 523).

It is clear from the Verses of the Holy Quran, the covenants of the Holy Prophet and his successors and the conduct of the other Muslim Caliphs in history that the non-Muslims enjoyed such concessions in those days which have not been provided by the Colonialists to their subjects in some countries till recently. In fact, such rights have not been provided by many States to their citizens. In respect of practising and professing of their religion the non-Muslims enjoyed full freedom and the right to profess and practise the religion was treated as virtually a fundamental human right.

Islam teaches absolute tolerance in matters of religion and leaves it to the conscience of a man to accept the religion of Islam. No compulsion in this respect is allowed in Islam. A person may believe or may not believe. Even the Holy Prophet (P.B.H.) was not empowered to interfere with his belief except that his function was to take the message to him and explain the same, and give good news of paradise if he believed and to give bad news of hell if he disbelieved, (the last is his function in his capacity as Bashiran Nazira).

All these arguments are however hardly relevant since the impugned law does not force the Quadianis to change their belief and

to be converted to Islam.

Faced with this situation Mr. Mujeebur Rehman complained that the Quadianis are restrained from professing Islam as their religion and they have been deprived of the right to call Azan which is a part of the religion and to call their places of worship as Masjid. But they are neither Muslims nor are these matters covered by the principle of Ikrah or force or threat to which these verses apply. The verses apply to conversion to Islam from another religion.

Mr. Mujeebur Rehman discussed the binding nature of Covenants according to the Holy Quran and the Sunnah. It is not necessary to deal with these arguments since the Injunctions of أَوْفُوا بِالْعُهُودِ (fulfil your contracts) and أَوْفُوا بِالْمُهَنَّدِ (fulfil your covenant) leave no doubt about the correctness of this proposition. The best instance of this is of the treaty of Hudaibiya in which one of the conditions agreed upon by both parties was that if any muslim who was with the polytheists of Makka went without their permission to the Muslims, he would be returned to the Meccans. There were instances in which Muslims who were maltreated and tortured by the Meccans escaped and reached Medina but they were ordered by the Holy Prophet to return because of his obligations to the stipulations in the treaty.

Mr. Mujeebur Rehman argued that at the time of the establishment of Pakistan there was virtually a Covenant between Quaid-i-Azam and the Ahmadis and the declaration of Quaid-i-Azam about the complete equality in Pakistan of Muslims and non-Muslims and their freedom interalia of professing and practising their religion amounted to an implied contract or warranty, which were included or implied in different Constitutions of the Country upto 1973. The Constitutions guaranteed the right of all citizens of Pakistan to profess, practise and propagate their religions and upto 1974 they did not declare the Quadianis non-Muslims.

No covenant between the Quadianis and Quaid-e-Azam was shown to us that they shall be treated as Muslims nor this question

arose at the time of establishment of Pakistan or during the life time of Quaid-e-Azam. No reliance can be placed upon the Constitutions of 1956, 1962 and the original Constitution of 1973 since the Quadianis were declared non-Muslims by a Constitutional amendment which was unanimously passed and which was the result of series of agitations by Muslims. It declared the Quadianis non-Muslims.

In order to understand the necessity for the enforcement of this Ordinance it would be necessary to consider the effect of the Constitutional amendment of 1974 by which the Quadianis were declared non-Muslims. The view put forth with vehemence by Mr. Mujibur-Rehman was that the Constitution merely declared the Quadianis as non-Muslims but did not impose any liability upon them to treat themselves as non-Muslims. We posed a question to him whether the Constitution was binding upon the Quadiani citizens of Pakistan or not. He agreed that it was binding on them. It would follow from this concession that the Quadianis are bound by the declaration that according to the Constitution and the law they are non-Muslims. They can be candidates in elections to the National and the Provincial Assemblies for seats reserved for non-Muslims. In suits involving question of their faith they must call themselves non-Muslims. No legal right can be claimed by them on the assumption of their being Muslims. Their insistence on calling themselves Muslims while arguing this petition is clearly unconstitutional.

Article 260 (3) declares the Quadianis as non-Muslims for the purpose of the Constitution and the law. Article 20 guarantees to the citizens of Pakistan the right inter-alia to profess their religion. This Article is no doubt subject to the other provisions of the Constitution. This point was in fact conceded by Mr. Mujibur Rehman. Read with Article 260 (3) of the Constitution, the above provision of Article 20 will mean that the Quadianis can profess that they believe in the unity of Allah and/or the prophet-hood of Mirza Sahib, but they cannot profess themselves to be Muslims or their faith to be Islam. Inadvertently in the short order certain observations have crept in, but the position has been fully explained in this comprehensive judgment. It is not, there-

fore, correct to urge that the Constitution does not oblige them to call themselves non-Muslims.

The whole difficulty in this case arose because of the conduct of the Quadianis that despite their obligation not to call themselves Muslims or their faith as Islam, they persisted in calling themselves Muslims and carrying on their propaganda and preaching in the name of Islam. They should have refrained from directly or indirectly posing as Muslims but they obstinately persevered in trying the patience of the Muslim Ummah by acting contrarily.

One of the reasons for banning the use of epithets which are exclusive for the companions of the Prophet (P.B.H.) his wives and the member of his family is that by their use the Quadianis indirectly pose as Muslims. The expressions Ummul-Mumineen (mother of the Muslims) Ameer-ul-Momineen, Khalifat.ul.Muslimeen, Khalifat.ul-Momineen (all denoting Head or Chief of the Muslim Ummah) include the words Momineen (Muslims) or Muslimeen which may deceive the people that the bearers of such names are or call themselves Muslims. The expression 'Razi allah anho' is used in the Quran as a form of blessing for the companions of the Holy Prophet (P.B.H.) or at most for the Muslims. The words 'Sahabi' and 'ahl-e-bait' are used by the Muslims for the companions and members of the family of the Holy Prophet respectively all of whom were the best of Muslims. The use of such terms in respect of the companions or members of the family of Mirza Sahib means that the Quadianis are posing as Muslims. The other point no doubt is that in the view of the Muslims the use of such sacred expressions by the Quadianis in respect of the wife, members of the family, companions and successors of Mirza Sahib amounts to defiling them.

Similarly calling of Azan and the naming of Masjid for the place of worship is considered as sure sign of the person calling 'azan' or of the persons congregating or praying in the mosque (Masjid) as being Muslims.

The provisions banning the use of these epithets and expressions are in implementation of the Constitutional provision and a

consequence of the reiteration in this Ordinance of the principle that Quadianis cannot call themselves or pose to be Muslims in any manner directly or indirectly.

The ban on preaching of religion is motivated by similar considerations.

The Quadianis achieved some little success among members of the Muslim Ummah mainly in the Punjab because of their strategy of calling themselves Muslims and assuring them that acceptance of Ahmadism did not mean relinquishment of Islam or conversion from belief to unbelief but gave them an option to become better Muslims. For this purpose they touch the usual chord of the educated Muslims' distaste for the intense sectarianism and persistent rigidity of the Ulema and tend to draw them towards what they preach to be liberalism in Islam. This strategy which paid some little bonus bears strong resemblance to the passing off by a trader of his inferior goods as the superior well known goods of a reputed firm. Let the Quadianis accept that their preaching is for conversion to a religion other than Islam even the unwary among the Muslims may be loathe to change his belief for unbelief. On the other hand Quadianis may have feeling of disenchantment about Ahmadism.

We are in agreement with Professor Tahir-ul-Qadri that if the Quadianis had taken steps to implement the Constitutional provisions the promulgation of this Ordinance might not have been required. This is one reason why the propagation of the religion had to be banned.

Another important reason was that the Quadianis by posing themselves as Muslims try to propagate their religion to every Muslim they come across. They outrage his feelings by calling Mirza Sahib a Prophet because every Muslim believes in the finality of prophethood of Muhammad (P.B.H.). This creates a feeling of resentment and hostility among the Muslims which gives rise to law and order problem. His claim of being a Promised Messiah and Mehdi was also resented. This is not a mere claim. It would be clear from the history of Quadianism — in fact from the books of

Mirza Sahib himself — that he had to face considerable hostility at the hands of not only the Ulema but also of the general body of Muslims. His writings are therefore couched in the most uncomplimentary and abusive language for his opponents. There were events when there were mass protests. See for instance Hayat Tayyiba by Abdul-Qadir pages 121, 126, 140. Most of the writings of Mirza Sahib are full of imprecations and abuses for his opponents. He also mentioned the hostility of the Muslims generally to him. (See Hammamat-ul-Bushra, page 33; Izalat ul Auham, page 11). At page 35 of Hammamat-ul-Bushra he wrote :

“It is this claim on which my people (non Ahmadi Muslims) quarrel with me and consider me an apostate (مُنَكَّرٌ). They talked loudly and did not pay reverence to one who receives inspiration from Allah (مُنَزَّلٌ). They said that he is a renegade, liar and an impostor (مُنَكَّرٌ). But for their fear of the sword of the rulers they would have murdered me.”

Some events caused such a tremor and shock that they were called earthquakes by the followers of Mirza Sahib. According to the enumeration of the compiler of Seerat-i-Mehdi, there were five such earthquakes.

Five earthquakes

- i) The first tremor which shook Ahmadism was the birth of a daughter in 1886 after the prediction by Mirza Sahib about the birth of the promised son during the same pregnancy.
- ii) The second tremor was caused by the death of the son who was born after the daughter.
- iii) The third one which staggered the Muslims of India was the claim of being the Promised Messiah and Mehdi.
- iv) The fourth tremor was caused by the non-fulfilment of the prediction about the death of Atham.
- v) The fifth was the one caused by the death of Mirza Sahib (much before Molvi Sanaullah and also of a fatal disease

which was said to be Cholera, a death which according to the principle enunciated by Mirza Sahib was reserved for those who are forsaken by God and who invent lies against Him). (Seerat-i-Mehdi, No. 113 pages 86 to 90).

This enumeration is based on a prediction said to have been made by Mirza Sahib about five earthquakes. But if each of these events be treated to be an earthquake within the meaning of that prediction, the enumeration is decidedly incomplete. The ridicule faced by Mirza Sahib over his failure to marry Mohammadi Begum was seismologically of much longer duration and of successive tremors. Similarly the opposition and hostility faced by Mirza Sahib on his claim of prophethood had been such that its intensity is undiminished till today. The first, second, fourth, fifth earthquake and the episode of Mohammadi Begum made Mirza Sahib the object of ridicule, derision and banter for the Muslims, Christians and Hindus alike. The claim of being the Promised Messiah and Mehdi in 1891 and of being a Prophet or the manifestation of the Holy Prophet engendered lasting hostility, indignation, condemnation and censure among the Muslim masses, religious scholars and intelligentsia alike (see Seerat-i-Mehdi, Vol. I pages 86 to 90, Vol. 2, pages 44, 64, 87, Vol. 3, page 94).

This is a picture of the recurring extreme exasperations of the Muslims in his lifetime.

After the creation of Pakistan the imposition of Martial Law of 1953, the setting up of Muneer Committee, the Constitutional Amendment of 1974 all prove the extreme agitation, chagrin, tension and mortification of the Muslims. Section 298C of the Pakistan Penal Code prohibits the outraging of the feelings of the Muslims which furnishes proof of the restlessness and anger of the Muslims on matters ultimately prohibited by the Ordinance.

The expressions Ummul - Momineen, Ahle-Bait, Sahabi, Ameerul-Momineen, Khalifat-ul-Momineen and Khalifat-ul-Musli-

meen were exclusively used by the Muslims for the family of the Prophet, for the wives of the Prophet, for the companions of the Prophet and for those rightful Caliphs who ruled after the Prophet respectively. These very expressions which according to the Muslims were limited only for those superior personalities and those who were blessed with the association and society of the Holy Prophet (P.B.H.) are used by the Quadianis in respect of the wife, family and companions of Mirza Sahib who were held non-Muslims. This has always been resented by the Muslims. It was for this reason that the Ordinance made the use of such expressions by Quadianis, a criminal offence.

Ban to use Ummahatul Momineen for Quadianis

The expressions Ummahatul-Momineen or Ummul-Momineen and the word Azwajul-Mutaharrat were used exclusively for the wives of the Prophet and this exclusive use has the sanction of the Holy Quran behind it. In regard to the wives of the Prophet it is said in the Quran (Q. 33 : 6) وَإِنْ جَهَدْتُمْ (his wives are their mothers). Similarly there are a number of traditions in which each wife of the Prophet was called Ummul-Momineen (the mother of the Muslims). They are mothers of the Muslims in addition to each Muslim's natural mother and his foster mother (See Q. 4 : 23). The reason for this relationship is firstly the superiority of the wives of the Prophet over all the women and secondly the prohibition against marriage with any wife of the Prophet after him.

يَا أَيُّهَا النَّبِيُّ لَسْتُمْ كَالْأَخِيرَ مِنَ النِّسَاءِ
(O wives of the Prophet you are not like all other women). Similarly in verse Q. 33 : 30 it is stated.

يَا نِسَاءَ النَّبِيِّ مَنْ يَأْتِ مِنْكُنَّ يَعْنِسْكُهُ مُبِينَةٌ يُضَعَّفُ
لَهَا الْعَذَابُ ضَعْفَيْنِ وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا

(O wives of the Prophet if you commit any act of indiscretion its punishment in the hereafter will be double of the punishment of the others and this is very easy for Allah).

These two verses clearly establish that the wives of the Holy Prophet (P.B.H.) are not like other women. This is one reason

why they have been given the name of Ummul Momineen or Azwajul Mutaharrat. This should also be kept in mind that the wives of the Holy Prophet (P.B.H.) were left without any inheritance on account of the dictum that Ummah inherits the Prophet of Allah. Thus they were left without any income to support them. They lived during his life time in a state of absolute penury. In spite of this if they had money or edible in their homes they would prefer to give it in charity to a needy than satisfy their own wants.

Once they made certain demands. Soon came the warning from God. He gave them the choice to live a hard life or be divorced on payment of worldly goods and money (Q. 33 : 28). They, however, opted for the blessed association of the Holy Prophet (P.B.H.). Among these wives of the Holy Prophet there were some who had seen affluence because they belonged to rich families for example, Hazrat Sauda, Hazrat Safia, Hazrat Juwairyra and Hazrat Umme Habiba. But they also preferred to live in a state of penury and want rather than leave the Holy Prophet (P.B.H.). It is impossible to compare these high personalities with any other woman, and encroach upon their title for some other woman.

The other expression of 'Ahle Bait' from the use of which the Quadianis have been stopped is in respect of the members of the family of the Holy Prophet (P.B.H.). In Q. 11 : 73 it is said

Ban to use Ahle Bait for Quadianis

إِنَّمَا يُرِيدُ اللَّهُ لِذِهَابَ عَنْكُمُ الْجُنُسِ أَهْلَ الْبَيْتِ وَيُطْهِرُكُمْ
تَطْهِيرًا

(O members of the family of the Prophet Allah wishes to remove from you all that is dirty and wants to cleanse you with a thorough cleansing).

The object of these orders was to inform the family of the Prophet that they should remain away from all types of sins and disobedience and should maintain purity and cleanliness in matters of faith, action and manners.

It is clear from the Quran that these were the qualities of the members of the family of the Holy Prophet (P.B.H.), otherwise the son of Noah was not considered to be a member of his family because of his disobedience to the Injunctions of Allah. Verses 45 and 46 of Surah Hood (Q. 11 : 45, 46) read as follows :

وَنَادَى شُوَحَ رَبَّهُ فَقَالَ رَبِّ إِنَّ أَبْنِي مِنْ أَهْلِي وَإِنَّ وَعْدَكَ الْحَقُّ
وَأَنْتَ أَحْكَمُ الْحَكَمَيْنَ ٤٥ قَالَ يَشْوَحُ إِنَّهُ لَا يَنْسَ مِنْ أَهْلِكَ إِنَّهُ
عَمَلٌ عَيْرٌ صَلِحٌ

Noah cried unto His Lord and said : My Lord! Lo! my son is of my household! Surely' Thy promise is the Truth and Thou art the Most Just of Judges. He said: Oh Noah! he is not of thy household; Lo! he is of evil conduct).

The expression Ahle Bait' is also exclusive for the members of the family of the Holy Prophet as would be evident from several traditions.

Those persons who are not Muslims or who have not been Muslims cannot be called by this name. The use of such name by the Quadianis for the members of the family of Mirza Sahib is nothing but adding insult to injury; no other person can have the same qualities as the members of the family of the Holy Prophet (P.B.H.) possessed. It is not, therefore, surprising that the Muslims resented this insult. The use of the expression tends to create law and order situation and consequently it was in the interest of the Ummah to prevent the Quadianis from the use of this name by making its use by them a criminal offence.

الْمَرْضَى اللَّهُ عَنْهُ The expression 'Raziullah Anho' (رَضِيَ اللَّهُ عَنْهُ) means God is well pleased with him. There is sufficient guidance in the

Quran about those for whom this expression can be used. The following are the relevant Verses Q. 9 : 100, Q. 48 : 18 and Q. 58 : 22 :-

(Q. 9 : 100)

وَالسَّيِّعُونَ الْأَوَّلُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ
أَتَبْعَوْهُمْ بِالْخَيْرِ رَضِيَ اللَّهُ عَنْهُمْ وَرَضِيَ عَنْهُمْ وَأَعْدَ
لَهُمْ جَنَّاتٍ تَجْرِي تَحْتَهَا الْأَنْهَارُ خَلِيلِينَ فِيهَا أَبَدًا
ذَلِكَ الْغَوْرُ الْعَظِيمُ ﴿١٠٠﴾

And the first to lead the way, of the Muhajirin and the Ansar, and those who followed them in goodness Allah is well pleased with them and they are well pleased with Him, and He hath made ready for them Gardens underneath which rivers flow, wherein they will abide for ever : That is the Supreme triumph.

Q. 48 : 18

لَقَدْ رَضِيَ اللَّهُ عَنِ الْمُؤْمِنِينَ إِذَا يَأْتُونَكُمْ تَحْتَ
الشَّجَرَةِ فَعِلْمَ مَا فِي قُلُوبِهِمْ فَأَنْزَلَ اللَّهُ سَكِينَةً عَلَيْهِمْ
وَأَنْبَثَمُ فَتَحَاقِرُ بِهَا ﴿١٨﴾

Allah was well pleased with the believers when they swore allegiance unto thee beneath the tree, and He knew what was in their hearts, and He sent down peace of reassurance on them, and hath rewarded them with a near victory ;

Q. 58 : 22

لَا تَعْمَدُ قَوْمًا يُؤْمِنُونَ كَبِيرًا وَالْيَوْمَ الْآخِرُ يُوَادُونَ مَنْ
 حَادَهُ اللَّهُ وَرَسُولُهُ وَلَوْ كَانُوا أَبَاءَهُمْ أَوْ أَبْنَاءَهُمْ
 أَوْ أَخْوَانَهُمْ أَوْ عِشِيرَتِهِمْ أَوْ لَهُمْ كَتَبَ فِي قُلُوبِهِمْ
 الْأَيْمَنَ وَأَيْمَانُهُمْ يَرْفُعُونَهُمْ وَيَدْخُلُهُمْ جَنَّاتٍ بَخْرَى
 مِنْ تَحْنِنَاهَا الْأَنْهَرُ خَلِيلِينَ فِيهَا أَرْضٌ اللَّهُ عَنْهُمْ وَرَضُوا
 عَنْهُ أَوْ لَهُمْ حِزْبُ اللَّهِ أَلَا إِنَّ حِزْبَ اللَّهِ هُمُ الْمُفْلِحُونَ

Thou wilt not find folk who believe in Allah and the Last Day loving those who oppose Allah and His messenger, even though they be their fathers or their sons or their brethren or their clan. As for such, He hath written faith upon their hearts and hath strengthened them with a Spirit from Him, and he will bring them into Gardens underneath which rivers flow, wherein they will abide. Allah is well pleased with them, and they are well pleased with Him. They are Allah's party. Lo! Allah's party are the successful!

It is clear from these verses that Allah gave this good news to either companions of the Holy Prophet (P.B.H.) or to Momineen (believers). The expression 'Raziullah Anho' cannot be used for non-Muslims with whom Allah cannot be pleased. The heretic and Kafir has no share in this good news. For them the news is that they shall remain in hell rather than in paradise. In these circumstances it is not possible to lay down any such principle under which the heretics may also be able to use it. The established principle in Islam is that Allah will not forgive the unbelievers though forgiveness is prayed for them by Muslims. See Q.9 :80, Q. 63 : 6 and Q. 9 : 114 which are reproduced below :—

Q. 9 : 80

أَسْتَغْفِرْهُمْ أَوْ لَا تَسْتَغْفِرْهُمْ إِن تَسْتَغْفِرْهُمْ سَبْعِينَ مَرَّةً
 فَلَن يَغْفِرَ اللَّهُ لَهُمْ ذَلِكَ بِأَنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ
 وَاللَّهُ لَا يَهِدِي الْقَوْمَ الْفَاسِقِينَ

Ask forgiveness for them (O Muhammad), or ask not forgiveness for them; though thou ask forgiveness for them seventy times, Allah will not forgive them. That is because they disbelieved in Allah His messenger, and Allah guideth not wrongdoing folk.

Q.63 : 6

سَوَاءٌ عَلَيْهِمْ أَسْتَغْفِرْتَ لَهُمْ أَمْ لَمْ تَسْتَغْفِرْهُمْ لَنْ
 يَغْفِرَ اللَّهُ لَهُمْ إِنَّ اللَّهَ لَا يَهِدِي الْقَوْمَ الْفَاسِقِينَ

Whether thou ask forgiveness for them or ask not forgiveness for them, Allah will not forgive them. Lo! Allah guideth not the evil-living folk.

Q.9 : 114

وَمَا كَانَ أَسْتَغْفِرُ أَبْرَاهِيمَ لَأَيْهِ إِلَّا عَنْ مَوْعِدٍ
 وَعَدَهَا إِيَّاهُ فَلَمَّا بَيِّنَ لَهُ أَنَّهُ عَدُوُّ اللَّهِ تَبَرَّأَ مِنْهُ إِنَّ
 أَبْرَاهِيمَ لَأَوْلَادُهُ حَلِيمٌ

The prayer of Abraham for the forgivness of his father was only because of a promise he had promised him, but when it had become clear unto him that he (his father) was an enemy to Allah he (Abraham) disowned him. Lo! Abraham was soft of heart, long-suffering.

It would be evident from these verses that those who are not to be excused cannot hope that Allah will be pleased with them.

Mr. Mujeebur Rehman showed us a number of books in regard to Sufis and other Muslims for whom this expression was used. But this cannot be helpful to him because as stated above it can be used for the believers. It was not denied that this expression was not used by non-Muslims. This is sufficient answer to his arguments.

The other disputed expression is 'Sahabi'. This word has admittedly been used for the companions of the Holy Prophet (P.B.H.) and not for non-Muslims. But the Quadianis used it for the companions of Mirza Sahib.

The meanings of this term were explained by Allama Sakhawi. "Abul Hussain writes in Motamad that 'Sahabi' is a person who has remained associated for long with the Holy Prophet (P.B.H.) as a follower and acquired knowledge from him". (Fath-ul-Mughees page 371).

Sahabi was therefore that fortunate person who had the good luck to associate with the Holy Prophet (P.B.H.) as believer and who died as a believer. (See Mulakhas Isaba, Vol. I, page 19 and Usd-ul-Ghaba Vol. I pages, 18, 19). A person who associates with one who is called a false Prophet, cannot be called by that special and technical name.

It is worthwhile noticing that the Holy Prophet (P.B.H.) said:

حَيْثُ الْقَسْبُونَ قَرَبَ شَعَرَ الَّذِينَ يَلْقَاهُمْ

The tradition mentions three generations who are known as Sahaba, Tabaeen and Taba Tabaeen. From this tradition also it is evident that Sahabi was a person who had association with the Holy Prophet (P.B.H.), Tabaeen were those persons who came after the companions and did not see the Holy Prophet (P.B.H.) and Taba Tabaeen were those persons who followed the Tabaeen. The important consideration or condition for being a Sahabi as stated above is that he must have met the Holy Prophet (P.B.H.).

He must have met him as a believer and then died as a believer and not in unbelief.

The other expressions are Ameerul-Momineen, Khalifatul Muslimeen, Khalifatul-Momineen. These three expressions which include the words Momineen and Muslimeen (believers) are obviously exclusive for Muslims. It is a well known qualification of the highest office holder whether he is called by the name of President, or by the name of Prime Minister, King, Khalifatul Momineen, Khalifatul-Muslimeen or Ameerul-Momineen, that he should be a Muslim. Hazrat Abu Bakr had adopted the title of Khalifato Rasoolillah. Although every man is a Khalifat Ullah (Deputy of Allah on this earth) but Hazrat Abu Bakr only assumed the title of Khalifato Rasoolillah. When the second Caliph took the reigns of Caliphate he thought that he would call himself Khalifato Khalifate Rasoolillah which means that he was to be a successor of the successor of the Holy Prophet (P.B.H.). But it was felt that if the word Khalifa (successor) is joined to the title of each succeeding ruler the title would go on elongating. Hazrat Umar therefore took the title of Ameerul-Momineen. (Islam Ka Nizame-Hukumat, pages 244, 245). The title of Ameerul - Momineen or Khalifatul - Muslimeen or Khalifatul Momineen thus became a title which was exceptional and exclusive for only rulers among the Muslims. No Muslim would like that this title be adopted by persons who are non-Muslims or who secede from the Muslim Ummah. It is for this reason and particularly on account of the hostility of the Muslims towards the Quadianis for the use of these epithets and expressions that this Ordinance was promulgated.

Mr. Mujeebur Rehman argued that the expression 'Raziullah Anho' was used for several Sufis, Saints. The expression Ameerul Momineen was used for Imam Malik who was called Ameerul Momineen fil Hadees and for Nizam of Hyderabad, the word Ummul-Momineen was used for a female disciple of a Saint.

These arguments are beside the point. The stray use of such terminology for Muslims or for Saints among them was not taken exception to because at least all the persons for whom it was used

were Muslims and not unbelievers, secondly it was not done for the purpose of imitating the Holy Prophet (P.B.H.), thirdly these examples were stray.

The use of such expressions by the Quadianis is based on the principle that Mirza Sahib was the manifestation of the Holy Prophet (P.B.H.) and his alleged advent is the second advent of the Holy Prophet (P.B.H.). Consequently his companions, his wife, his members of the family and his successors are entitled to the same respect and recognition as the companions, the wives, the members of the family, the successors of the Holy Prophet (P.B.H.). If Mirza Sahib is Muhammad his companions are the Companions of the Holy Prophet (P.B.H.) (Alfazal Qadiani Vol. 3 No. 8 dated 15th July 1915 taken from Qadiani Mazhab, page 353).

Mirza Sahib is more specific. He said My person became his personality (صَاحِبُهُ مُجْوَدٌ وَمُجَيْدٌ) whoever enters my group entered the body of the Companions of the Holy Prophet (P.B.H.). (Khutba-i-Illhamia pages 258, 259).

The impugned Ordinance in this respect is fully justified.

The next question is about the ban on Azan. The Ordinance prohibits the non-Muslims i.e. Quadianis from calling persons to prayers by the formula of Azan. The word Azan means to call. Mo'azzin is the person who calls. These Dictionary meanings are clearly established from a reading of Verses Q. 7 : 44, Q. 12 : 70 and Q. 22 : 27.

The Holy Quran says :—

Q. 7 : 44

فَادْعُ مُؤْذِنًا بَيْنَهُمْ أَنْ لَعْنَةُ اللَّهِ عَلَى الظَّالِمِينَ

And a crier in between them crieth : The curse of Allah is on evil-doers :

Q. 12 : 70

شُرَّاذَنَ مُؤْذِنٌ أَيْتُهَا الْعِيرُ إِنَّكُمْ لَسَرِقُونَ

And then a crier cried : O camel-riders! Ye are surely thieves!

Q. 22 : 27

وَأَذِنْ فِي النَّاسِ بِالْحَجَّ يَأْتُوكَ رِجَالًا وَعَنْ
كُلِّ ضَامِرٍ يَأْتُونَ مِنْ كُلِّ فَجَّ عَمِيقٍ

And proclaim unto mankind the pilgrimage. They will come unto thee on foot and on every lean camel ; they will come from every deep ravine :

In these three verses the word Azzana (أَذْنَ) of which Azan is a noun has been used in the meaning of call. The call is for information. The word Mo'azzin has been used in the sense of caller. These are the dictionary meanings of the words Azzana, Azan and Mo'azzin.

In the words إِذَا قُوْدِيَ لِلصَّلَاةِ in Q. 62 : 9 (when call is given for prayer) the reference is to the mode of call for prayer which is known as Azan. It is for this reason that these words were translated as 'when Azan is given'. The verse and its translation is as follows :—

Q. 62 : 9

يَأَيُّهَا الَّذِينَ آمَنُوا إِذَا قُوْدِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ
فَاسْعُوا إِلَيْنَا ذِكْرَ اللَّهِ وَذَرُوا الْبَيْعَ ذَلِكُمْ خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ
تَعْلَمُونَ

O ye who believe! when the call is given (Azan) for the prayer of the day of congregation, haste unto the re-

memberance of Allah and leave your trading. That is better for you if ye did but know.

There was no concept of Azan before Hijrah. After the Hijra people were called for prayer by a person calling "الصَّلَاةُ جَامِعَةٌ" which connoted that the prayer was about to be offered. The Holy Prophet (P.B.H.) gave importance to the order for calling for prayer. Three companions namely Hazrat Abu Bakr, Hazrat Omar and Hazrat Abdullah bin Zaid dreamt about the manner of Azan. Out of three dreams, the dreams of Hazrat Abdullah bin Zaid and Hazrat Omer are well known. Hazrat Abdullah bin Zaid informed the Holy Prophet (P.B.H.) about the dream on the same night but Hazrat Omer informed him in the morning. The Holy Prophet (P.B.H.) directed Hazrat Bilal to call people for prayer by Azan from that day. Later the words "الصَّلَاةُ خَيْرٌ مِّنِ النَّوْمِ" (prayer is better than sleep) were added in the Azan for morning prayer by Hazrat Bilal and the Holy Prophet (P.B.H.) approved it. (Al-Jamiu-li-Ahkam-il-Quran (الجامع لاحكام القرآن قرطبي) by Qurtubi, Vol. 6 page 225.

There is a difference of opinion about the necessity of Azan.

However, as Abu Omer said Azan is the distinguishing characteristic or sign between Darul Islam and Darul Harb (ibid).

It is one of the characteristics, token or distinguishing mark (Aalamuddin اعلام الدين). It is, therefore, considered to be a Shia'ar meaning distinguishing characteristic of the Muslims (Behrur-Ra'iq 'البخاري' by Ibne Nujaim, Vol. I, page 240). It is said that there is a consensus on the point that it is a Shia'ar (distinguishing feature) of Islam (Fatawa Qazi Khan on the margin of Fatawa-e-Alamgeeri, Hujjatullah-il-Baligha by Shah Wali-Ullah, Vol. I, page 474).

The following arguments will be sufficient for its being a Shia'ar :-

- (1) During the time of the Holy Prophet (P.B.H.) the well-known methods for calling people to their places of worships were :-

- (a) the blowing of horn ;
- (b) the ringing of bell; and
- (c) the lighting of fire.

But none of these manners was approved by the Holy Prophet (P.B.H.); he ultimately approved the manner of call by Azan.

(2) The principle in Islam is that a person calling Azan shall be treated to be a Muslim unless proved otherwise. It is reported on the authority of the father of Ibne Isam Mudani who said that "the Holy Prophet (P.B.H.) sent us with a raiding party and directed us that when you see a Mosque and listen to the voice of a person calling Azan, do not assassinate anyone (Sunan Abi Daud, page 361). This Hadis is also reported in Sahih Bukhari, Vol. I, page 86) on the authority of Hazrat Anas.

(3) There is another tradition of Hazrat Anas :

أَنَّ النَّبِيَّ مَلَأَ اللَّهُ عَلَيْهِ وَسَلَّمَ حَكَمَاتٍ يُغَيِّرُ عَنْهُ صَلْوةَ الظَّنِّ
وَكَاتَ يَسْتَمِعُ فَإِذَا سَمِعَ أَذَانًا أَمْسَكَ وَإِلَّا أَغَارَ -

("The Holy Prophet (P.B.H.) attacked the enemy at the time of morning prayer he would stop if he heard from that place the call of Azan otherwise he would attack) (Sunan-e-Abi Daud, Vol. I, page 354, also see Mishkat, Vol. I, page 160 (Urdu translation).

The reason for the direction of the Holy Prophet (P.B.H.) in the first Hadis and his own conduct in restraining himself from attack on hearing Azan is that Azan bears a presumption that the persons living in the locality are Muslims who were immune from attack.

The Jurists have for this reason taken the view that whoever calls Azan should be treated to be a Muslim. If people give evidence in respect of a Zimmi (protected non-Muslim) that he had called Azan he should be treated as a Muslim (Bahrur Raiq

Vol. I, by Ibne Nujaim, page 279, Raddul- Muhtar by Ibne Aabideen, Vol. I, page 353).

In view of these opinions, Mr. Mujeebur Rehman argued that a person who calls Azan should be treated as a Muslim. But this argument is not correct since the object of the above tradition is only to the effect that by the calling of Azan there should be a presumption in favour of one being a Muslim but this presumption is rebuttable; it is not conclusive. If ultimately it is found that the person calling Azan is really a non-Muslim or his beliefs become evident which prove him a non-Muslim he cannot be allowed to take advantage of calling Azan and claim to be entitled to be called Muslim on that account only. It is clarified in Raddul Muhtar, Vol. I, page 279, that the call of Azan by Moazzin in a Mosque raises a presumption of his being a Muslim because he is allowed to call it usually, meaning thereby that if he had been a non-Muslim he would not have been allowed by those who offered prayer in the Mosque to call Azan. It is, however, clarified that the Azan by a Kafir is not at all correct. From this it can be concluded that a person does not become Muslim only by calling Azan. Weighty presumption in favour of Islam shall arise if he does it by habit and also believes in the unity of Allah and the Prophethood of the Holy Prophet (P.B.H.).

Now we may take up the argument of Mr. Mujibur Rehman. He relied upon the above traditions of the Holy Prophet (P.B.H) and Verse 4 : 49 which is as follows :

Q 4 : 94

يَأَيُّهَا الَّذِينَ آمَنُوا إِذَا دَرَأَ شَرْفَ سَبِيلِ اللَّهِ فَتَبَيَّنُوا وَلَا نَقُولُوا
لِمَنِ الْقَوْمُ إِلَيْكُمُ الْسَّلَامُ لَسْتَ مُؤْمِنًا تَبَعُونَ عَرَضَ
الْحَيَاةِ الَّذِي كَا فَعَنَدَ اللَّهِ مَفْعَانِهُ كَثِيرٌ كَذَلِكَ كُنُّمُ
مِنْ قَبْلِ فَمَنِ اللَّهُ عَلَيْكُمْ فَتَبَيَّنُوا إِنَّ اللَّهَ كَانَ بِمَا

۱۱ تَعْمَلُونَ خَيْرًا

O ye who believe! when ye go forth (to fight) in the way of Allah, be careful to clarify the truth or find out the truth, and say not unto one who offereth you peace : "Thou art not a believer," seeking the chance profits of this life (so that ye may despoil him). With Allah are plenteous spoils. Even thus (as he now is) were ye before; but Allah hath since then been gracious unto you. Therefore take care to discriminate. Allah is ever informed of what ye do.

The answer to this argument is in the verse itself. The word فَتَبَيَّنُوا (clarify the truth or find out the truth) wishing like a Muslim or saying there is no God but God or calling Azan or praying in what is like a Masjid may raise a presumption about one's being a Muslim but it is rebuttable, which means that if there is proof in rebuttal he should not be called Momin or Muslim.

Professor Tahir-ul-Qadri submitted that the Book of Allah discriminates between righteousness and inequity and relied upon verses Q. 25 : 1; Q. 41 : 34 ; Q. 5 : 100; Q. 35 : 22; Q. 59 : 20; Q. 34 : 4, Q. 57 : 10. 32 : 18. The Muslims and Momin's have been defined and their qualifications described. Just as it is not possible to call unrighteousness by the name of righteousness or evil by the name of good so it cannot be permissible to call a non-Muslim by the name of Muslim and vice versa. There is a well-known Hadees that if some one calls a person an infidel (kafir) and he is not an unbeliever the heresy will turn towards the false accuser. There is no reason why a non-Muslim should be called a believer or Muslim. The argument is unexceptionable.

Mr. Mujeebur Rehman conceded that Azan is a Shia'ar of the Muslims but submitted that it is the Shia'ar of Quadianis also. Where the same Shia'ar is common to both, the matter would be governed by verse Q. 5 : 2 and Q. 3 : 64. They are as follows :

Q. 5 : 2

يَنَاهَا الَّذِينَ مَأْمُوا لَا حِلْوَ شَعْنَبَرَ اللَّهُ
 وَلَا الشَّهْرُ الْحَرَامُ وَلَا الْمُهْذَى وَلَا الْقَلْبَدَ وَلَا مَأْمِنَ الْبَيْتِ
 الْمُحَرَّمِ يَتَغَوَّلُونَ فَقَسْلًا مِنْ رَبِّهِمْ وَرِضْمَنًا وَإِذَا حَلَّلُتُمْ فَأَصْطَادُوا وَأَ
 وَلَا يَجْرِي مِنْكُمْ شَنَعًا فَوْمٌ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ
 الْمُحَرَّمِ أَنْ تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبَرِّ وَالثَّقَوْيِ وَلَا تَعَاوَنُوا
 عَلَى الْإِثْمِ وَالْمَدْوَنِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ سَدِيدُ الْعِقَابِ ﴿٢﴾

O ye who believe! Profane not Allah's monuments nor the offerings nor the garlands, nor those repairing to the Sacred House, seeking the grace and pleasure of Allah. But when ye have left the sacred territory, then go hunting (if ye will). And let not your hatred of a folk who (once) stopped your going to the inviolable place of Worship seduce you to transgress; But help ye one another unto righteousness and pious duty. Help not one another unto sin and transgression, but keep your duty to Allah. Lo! Allah is severe in punishment.

Q. 3 : 64

قُلْ يَأْهَلَ الْكِتَابِ تَعَالَوْ إِلَى كَلْمَةٍ سَوَامِ بَيْنَنَا وَبَيْنَكُمْ
 أَلَا نَبْدِلُ إِلَّا اللَّهُ وَلَا شُرِيكَ لَهُ شَيْنَا وَلَا يَتَّخِذَ بَعْضُنَا
 بَعْضًا أَرْبَابًا مِنْ دُونِ اللَّهِ فَإِنْ تَوَلُّوْ فَقُولُوا أَشْهَدُوا إِنَّا
 مُسْلِمُونَ ﴿٦﴾

Q. 3 : 64

Say : O People of the Scripture! Come to what is (acknowledged) to be common between us and you; that we shall worship none, but Allah, and that we shall ascribe no partner unto Him, and that none of us shall take others for lords besides Allah, And if they turn away, then say : Bear witness that we are they who have surrendered (unto Him).

It may be stated the words (Q. 3 : 64) "تَسَاءَلُوا إِلَيْنَا كَلِمَةً سَوَاءً بَيْنَنَا وَبَيْنَكُمْ" have been translated "come to an agreement between us and you" by Pickthall. This translation is not correct because the reference is to something equally common in this verse and not to any agreement. The Urdu translation by Maulana Fateh Muhammad is, however, unexceptionable and it is reflected in the translation given above.

The argument of Mr. Mujeebur-Rehman is that what is good and common between the Quadianis and the Muslims should not be interfered with because it is Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") between them. For the interpretation of the expression Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") he referred to Madarik-ut-Tanzeel, Vol. I, page 22. It is said that Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") (something equal) means such a thing which is equal 'between us and you' and in respect of which there is no opposition between Torah, Bible and the Quran. Kalima means that we should not worship anyone except Allah. Ibne Kaseer said that Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") means to worship one God and this has been the common call of all the Prophets (Tasfeer Ibne Kaseer (Urdu), Vol. I, page 76).

According to Addurrul-Mansur by sayuti (Vol. 2, page 40) by Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") is meant that "There is no god but Allah". Mufti Muhammad Shafi said about Kalimatin Sawain ("كَلِمَةٌ سَوَاءٌ") that on this people should join. From this Mr. Mujeeb-ur-Rehman deduced that it cannot be made a punishable offence.

In Chapter 41, verse 33 it is stated :-

Q. 41 : 33

وَمَنْ أَحْسَنْ فَوْلَامَنْ دَعَ إِلَيْ أَنَّهُ وَعَمِلَ صَنِعَهَا وَقَالَ
 إِنَّمَا مِنَ الْمُسْلِمِينَ ٤١

And who is better in speech than him who prayeth unto his Lord and doth right, and saith : Lo! I am of those who surrender (unto Him).

The reason for revelation of this verse was, as stated by Al-Kalbi, that when the Moazzin called Azan and the Muslims stood for offering their prayers the Jews used to cut jokes and used insulting language in respect of the Moazzin. They scoffed at his voice. In this verse, therefore, Azan has been stated to be أَحْسَنْ فَوْلَامَنْ (most pleasant utterance or best utterance), (Qurtubi, Vol. 6 pages 224 and 225).

It has already been seen that the Azan of a non-Muslim is not Azan and consequently the expression most pleasant utterance cannot be applied to it. The above verse defines a Momin or Muslim which leaves no doubt that Azan is a أَحْسَنْ فَوْلَامَنْ (most pleasant utterance) only when called by a Muslim, since it qualifies for being so called alongwith the caller's good actions and his faith as a Muslim.

There was a controversy before the Court as it has always been, on the reason of revelation of verse Q. 5 : 2. The question is whether the Shia'ar (signs) of Allah referred to therein were the characteristics or signs of the polytheists or they were of Muslims. Mr. Mujeebur-Rehman quoted authorities from the opinion of the commentators for supporting the view that the characteristics or Shaa'ir referred to in this verse were of the polytheists but Mr. Riazul-Hasan Gilani relied upon the other set of opinions. The opinion of Pir Muhammad Karam Shah, now a Judge of the Supreme Court Shariat Bench in his well-known commentary Ziaul-Quran favours the opinion of Mr. Mujeebur Rehman.

There are some views that this verse has been abrogated. Mr. Mujeebur Rehman argued that the portion of the verse **لَا تَحْلِلُوا** **شَعَّارِ اللَّهِ** was never abrogated.

It is not necessary to enter into this controversy. If the verse related to the characteristics or Shaa'ir of non-Muslims about taking animals for slaughter in Mina at the time of Hajj, a different order was passed in Q. 9 : 28 which is as follows :—

Q. 9 : 28

يَتَأَبَّلُهَا الَّذِينَ مَا آمَنُوا إِنَّمَا الْمُشْرِكُونَ بَخْسٌ فَلَا
يَقْرَبُوا الْمَسْجِدَ الْحَرَامَ بَعْدَ عَامِهِمْ هَذِهِ أَوْ إِنْ
خَفَشَتْ عَيْلَةٌ فَسُوفَ يَعْنِيْكُمْ اللَّهُ مِنْ فَضْلِهِ إِنْ
شَاءَ إِنْ اللَّهُ عَلِيْمٌ حَكِيمٌ

۱۸

O ye who believe! The Idolaters only are unclean. So let them not come near the Inviolable Place of Worship after this their year. If ye fear poverty (from the loss of their merchandise) Allah shall preserve you of His bounty if He will. Lo! Allah is knower, Wise.

The Polytheists or idol worshippers were restrained from coming near the Kaa'ba. There is a Hadis also that in order to implement this divine Injunction the Holy Prophet (P.B.H.) sent Hazrat Ali to Makka decreeing the prohibition of Hajj for non-muslims.

This Injunction is prohibitory of the Idol worshippers performing their Shaa'ir in Kaa'ba and the decree of the Holy Prophet (P.B.H.) was prohibitory of their Shaa'ir of Hajj (see Tafheemul Quran, vol. 2, p. 186, note 25). It is thus obviously concluded from it that Islamic Sharia does not allow a non-muslim to adopt Shaa'ir of Islam because Shaa'ir means the distinguishing features of a community with which it is known. If an Islamic State in spite of its being in power allows a non-muslim to adopt the

Shia'ar of Islam which effects the distinguishing characteristics of muslim ummah, it will be the failure of that State in discharge of its duties. To allow a non-muslim to adopt Islamic Shia'ar in an Islamic State amounts to an illegal behaviour with the shia'ar of Islam and as such reason for its prohibition becomes stronger. The above mentioned verse 9 : 28 and the subsequent Practice of the Holy Prophet prove the power of legislation of the Islamic State to prevent non-muslims from adopting the shia'ar of Islam. It is for this reason that it is also in the legislative power of the Islamic State to provide punishment for the non-muslim who does not abstain himself from adopting the shia'ar of Islam as has been provided in the impugned ordinance. This will also cover the arguments of Mr. Mujibur Rehman about Taazir.

Mr. Mujibur Rehman formulated the following points in this respect. :—

- (1) If Azan is one of the Islamic Shaa'ir (distinguishing features) and the same Shia'ar be found common among the non-muslims, whether the non-Muslims can be stopped from it?
- (2) Whether in view of the injunction regarding Kalimatin Sawain (ﷺ) it is not essential that the Muslims and non-Muslims should join in it?
- (3) Whether saying of what is ' أَخْسَنْ قَوْلٌ ' (most pleasant utterance) can be made a punishable offence?

The answers to these questions have already been given and may be summed up now. In view of verse 9 : 28 and the rules emanating from it non-Muslims can be stopped from pursuing a Shia'ar which is common among Muslims and non-Muslims. Kalimatin Sawain (ﷺ) has been used in respect of different matters but in view of the answer to the first question the second question becomes redundant. However, it may be emphasized that though the non-believers used to perform Tawaf but they were not permitted to do so after the Muslims took control of the Khana Kaaba. It has been held that the Azan by a non-

Muslim is not covered by expression 'أَخْسَبْ قَوْل' (best of utterances) and if under the answer to the first question a person can be restrained from that *Shia'ar* he can also be directed to be punished for violation of the restraining order.

The conduct of the Quadianis when they were in Quadian and held a majority and considerable influence there is relevant. The Quadianis had stopped the Muslims from calling Azan in their own mosques. The Ahrar sent some volunteers to call Azan in mosques of Muslims in Quadian but the Quadianis attacked them with sticks and caused a large number of injuries to each of them. They had to remain bed ridden in Hospitals. (*Tehrik-i-Khatam-e-Nubuwwat* 1891-1974 by Shorish Kashmiri, page 78). This could have been by brute force only during the British Rule. This is an example that what they considered to be their *Shia'ar* (distinctive feature) was made by them practically unlawful for the Muslims. It follows that in their view also such restraint by the majority in power is legal.

The argument of Mr. Mujeebur Rehman against the prohibition of naming their place of worship as masjid was that according to the Quran the word masjid is not exclusive for the Muslims but has been used for the mosque of those who are non-Muslims now. When asked whether during the last 1400 years places of worship of persons other than Muslims have ever been known by the name of masjid he answered in the negative, but after a few days stated that he had been able to trace out at least one synagogue of the Jews in Karachi on which the words masjid-e-Bani Israel are written. He showed Photographs of the writing from which it appears that the place of worship is a synagogue but it has been translated by someone as masjid-e-Bani Israel. Such a name is not common among the Jews.

The question whether places of worship of persons other than those who are followers of the Holy Prophet (P.B.H.) have been called in the Quran by the name of masjid is beside the point. Islam has been the divine religion from the very beginning, i.e. starting with Adam. If the word masjid has been used for the places of worship of those who belonged to the Ummah of some

other Prophet and followed the then prevailing religion of Islam, it cannot be concluded that the name masjid was the name given to the places of worship of non-Muslims too. The point is that during the last 1400 years this name has been exclusively given to the mosques of the Muslims. It has been in fact customary only among the Muslims to call their mosques as masajid.

In the Holy Quran the word masjid has been used within its dictionary meanings but now the same word is understood in the technical sense of the place of worship of the Muslims only (see Al-Alaqat-ul-Duwaliyya-fil-Islam p. 212). According to this even Eidgah, (place of offering Eid prayer) is not a masjid.

Reference was made to the verse 22 : 40 which is as follows :

Q. 22 : 40

الَّذِينَ أُخْرِجُوا مِن دِيَرِهِمْ بِعَيْرِ حَقٍ إِلَّا أَن يَقُولُوا رَبُّنَا
اللَّهُ وَلَوْلَا دَفَعَ اللَّهُ النَّاسَ بِعَصْبَهُمْ بِعَيْرِ حَقٍ مَّا
بِعَيْرٍ وَصَلَوَاتٌ وَمَسْجِدٌ يُذْكَرُ فِيهَا أَسْمُ اللَّهِ كَثِيرًا
وَلَيَسْتَرِكَ اللَّهُ مَنْ يَنْصُرُهُ وَإِنَّ اللَّهَ لَقَوْيٌ عَنِيزٌ ٤٠

Those who have been driven from their homes unjustly only because they said : Our Lord is Allah – For had it not been for Allah's repelling some men by means of others cloisters and churches and oratories and mosques, wherein the name of Allah is oft mentioned, would assuredly have been pulled down. Verily Allah helpeth one who helpeth Him. Lo! Allah is Strong, Almighty.

It was argued in view of this sanctity attached to the places of worship of all denominations that a person cannot be prevented from calling his place of worship as masjid. It is, however, ex-

plained by Qurtbi that out of the names given to the places of worship cloisters, churches and oratories relate to the places of worship and hermitages or monasteries of non-Muslims while the word masjid has been used to denote the places of worship of Muslims (Ahkamul Quran, Vol. 12, page 72). But assuming that the word masjid has been used even for the places of worship of those who after the Advent of the Holy Prophet (P.B.H.) fall in the category of non-Muslims, it will have to be acknowledged that the word masjid was used for the places of worship of the then Muslims only.

Masjid has also been considered to be a Shia'ar of Muslims in the Hadis already referred to in connection with the discussion of Azan. Assassination was prohibited where masjid was seen. This was because of the masjid being a distinctive feature of Islam (Shia'ar شعار). The person who offered prayer in it had to be presumed to be a Muslim unless proved to the contrary.

The following two verses No. 17 and 18 from Chapter 9 (Q. 9 : 17-18) provide solution to the problem before us :—

Q. 9 : 17

مَا كَانَ لِلْمُشْرِكِينَ أَنْ يَعْمَلُوا مَسَاجِدَ اللَّهِ شَهِيدِينَ عَلَىٰ
أَنفُسِهِمْ بِإِلَكْفَرٍ أَوْ لِئِكَ حَيْطَتْ أَعْمَلُهُمْ وَفِي النَّارِ
هُمْ خَلَدُونَ ١٧

It is not for the idolaters to tend Allah's sanctuaries, bearing witness against themselves of disbelief. As for such, their works are vain and in the Fire they will abide.

Q. 9 : 18

إِنَّمَا يَعْمَلُ مَسَاجِدَ اللَّهِ مَنْ أَمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ

وَأَقَامَ الصَّلَاةَ وَمَنِ الْزَّكَوَةَ وَلَمْ يَخْشَ إِلَّا اللَّهُ فَعَسَى
أُولَئِكَ أَن يَكُونُوا مِنَ الْمُهَمَّدِينَ ١٦

He only shall tend Allah's sanctuaries who believeth in Allah and the Last Day and observeth proper worship and payeth the poor-due and feareth none save Allah. For such (only) is it possible that they can be of the rightly guided.

There has been a difference of view whether the non-Muslims or Idolators can construct a mosque or enter into it. Regarding the construction the accepted principle is that though made by non-Muslims it must be made to serve as the place of worship of the Muslims. There is, however, a difference of view about the right of entry. The Malikis and Hamblis are against their entry in the masjid. The Shafie considered it lawful with the permission of the management except in the case of masjid-e-Haraam. But the Hanafi view is that they can enter a masjid.

The Holy Prophet (P.B.H.) had expelled the hypocrites from the masjid. It has been related on the authority of Ibne Abbas that "once while delivering the sermon on Friday the Holy Prophet (P.B.H.) ordered some persons who were sitting in the congregation for prayer, by name to get out from the masjid because they were munafiqeen (hypocrites). (Ruhul Maani by Alusi, Vol. II, page 10).

This discussion may be summed up by the opinion of Sir Zafarullah Khan, a renowned Ahmadi.

'If Ahmadis are non-Muslims they can have no concern with masjid (mosque).' (Tahdis-e-Nemat page 162).

The proposition was correctly put by him. But the Ordinance only prevents the Quadianis from naming or calling their places of worship as mosque.

This is not objectionable in Shariah. Rather it advances the Shariah objective.

The right to propagate other religions in an Islamic State cannot be un-limited on account of the principle of Irtidad (conversion of a Muslim to another religion). The Holy Quran says as under :—

Q. 5 : 54

يَتَآتِهَا الَّذِينَ أَمَنُوا مَنْ يَرْتَدِدُ مِنْكُمْ عَنِ دِينِهِ فَسُوقَ يَأْتِيَ اللَّهُ بِقَوْمٍ يُحِبُّهُمْ
وَيُحِبُّونَهُ أَذَلَّةٌ عَلَى الْمُؤْمِنِينَ أَعْزَّةٌ عَلَى الْكَفَّارِ إِنَّمَا يُعَذِّبُونَ فِي سَيِّلٍ
اللَّهُ وَلَا يَعْنَفُونَ لَوْمَةً لَا يُعِزِّزُونَ ذَلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ

عَلَيْهِ

The right to propagate other religions in an Islamic state can't be unlimited

O ye who believe! Whoso of you becometh a renegade from his religion, (know that in his stead) Allah-will bring a people whom He loveth and who love Him, humble toward believers, stern toward dis-believers, striving in the way of Allah, and fearing not the blame of any blamer. Such is the grace of Allah which He giveth unto whom He will. Allah is All-Embracing, All-knowing.

Q. 2 : 217

وَمَنْ يَرْتَدِدُ مِنْكُمْ عَنِ دِينِهِ فَيَمْتَأْذِي وَهُوَ كَافِرٌ
فَأُولَئِكَ حِيطَتْ أَعْمَلُهُمْ فِي الدُّنْيَا وَالْآخِرَةِ وَ
أُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَلِيلُوْنَ

And Whoso becometh a renegade and dieth in his disbelief such are they whose works have fallen both in the world and the Hereafter. Such are rightful owners of the Fire : they will abide therein.

It is not necessary to go into this question at any length since this has been the established practice of all religions that the conversion of a person from one religion to another was never looked with less than hostility by his co-religionists. An example in point is the antagonism shown by the Hindus including those in power in the so called secular state on group conversion of the Scheduled Castes to Islam.

It is possible that the reason may be that such secession from one religion to another is likely to be a dis-integrating force for that religious community. In the Quadianis' Literature also any person converted from Islam to Quadianism and then re-converted to Islam is known as Murtad and is believed to be liable to torture in hell like a non-Muslim. In this situation it is difficult to lay down that Islam confers a fundamental right upon non-Muslims to propagate their religion among Muslims unconditionally.

There have been instances in Islamic history when religious discussions were held in the Court of the Caliph or Monarch about the superiority of one's religion. Muslim and non-Muslim religious scholars alike participated in it but such instances cannot be held to be effective precedents in favour of any alleged right of propagation of one's religion in order to convert the Muslims to a religion other than Islam.

Mr. Mujeebur-Rehman did not rely directly upon any verse of the Quran, tradition of the Holy Prophet (P.B.H.) or the opinion of any jurist to substantiate his argument that Islam allows to non-Muslims a right to propagate their religion in an Islamic State.

He submitted that according to the Quran it is a duty to preach and what complements this duty is the right of the

unbeliever to preach his religion. He referred to verse Q. 2 : 170 ; Q. 2 : 170

وَإِذَا قِيلَ لَهُمْ أَتَتَّبِعُوا مَا أَنْزَلَ اللَّهُ قَالُوا بَلْ نَسْعِيْ مَا أَفْتَنَنَا عَلَيْهِ
إِبَاهَةً نَّا أَوْلَوْكَاتْ مَا بَكَّا وَهُمْ لَا يَفْقِلُونْ شِفَاعَوْلَا
يَهْتَدُونَ

١٧.

And when it is said unto them : Follow that which Allah hath revealed, they say : We follow that wherein we found our fathers. What! Even though their fathers were wholly unintelligent and had no guidance

and submitted that the verse condemns blindly following one's ancestors. He also cited Verses Q. 2 : 112; Q. 5 : 105, Q. 26 : 71 to 75 and Q. 43 : 21 to 25 and submitted that a joint reading of these verses shows that whenever the Prophet preached to the infidels the message of truth they had only one answer that their ancestors were sufficient for them though their ancestors had no sense at all. It is the spirit of Islam that this stress on the doctrine of Taqlid should be vanquished by resort to both type of arguments i.e. Afaqi (آفاقت) and Anfusi (انفسي). The Afaqi argument deals with the order of nature, the creation of the earth and sky the alternation of day and night etc, as described in the Quran. They should be made to realise the orderliness and beauty of the system which would not be possible if there had been two gods. Anfusi argument means that they should ponder over the creation of different stages of life and they would discover that only one God has created man.

This is the method about which the Quran says :

Q. 16 : 125

أَدْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحِكْمَةِ وَالْمُرْعَةِ الْحَسَنَةِ وَجَدِلْهُمْ
بِالَّتِي هِيَ أَحْسَنُ

Call unto the way of thy Lord with wisdom and fair exhortation, and reason with them in the better way.

He emphasized that the main thing is argument

Q. 8 : 42

وَلَكِنْ لِيَقْضِيَ اللَّهُ أَمْرًا كَانَ مَقْطُولًا لِيَهْلِكَ مَنْ
هَلَكَ عَنْ بَيْنَهُ وَيَعْلَمَنَّ مَنْ حَيَ عَنْ بَيْنَهُ

He who perished (on that day) might perish by a clear proof (of His sovereignty) and he who survived might survive by a clear proof (of His sovereignty).

Lastly he referred to verses Q. 6 : 149;

Q. 28 : 75; Q. 37 : 156; , 157 Q. 27 : 64; Q. 21 : 24 and Q. 2 : 111
relevant portions of which are reproduced below :—

Q. 6 : 149

مَنْ عِنْدَكُمْ فَرِيقٌ وَنَّا

Have you any knowledge that you can adduce for us?

Q. 37 : 156

أَمْ لَكُمْ سُلْطَنٌ شَيْءٌ

(O have you a clear authority)

Q. 37 : 157

فَأَلْوَاهِكُمْ إِنْ كُنْتُمْ صَادِقِينَ

(Then produce your book, if you are truthful).

Q. 28 : 75

فَقُلْنَا مَا تُوا بِرْ مَا نَكْنَ

(We shall say : Bring your proof).

Q. 21 : 24

قُلْ مَا تُرِكْمَأْكِنْكُمْ

(Say bring your proof)

Q. 27 : 64

قُلْ مَا تُرِكْمَأْكِنْكُمْ

(Say bring your proof)

Q. 2 : 111

مُثْلَ مَا تُرِكْمَأْكِنْكُمْ

(Say bring your proof)

He also cited a number of commentaries on the interpretation of these verses. It is not necessary to reproduce them as the meanings of these verses are clear that the Muslims can ask the Polytheists and non-Muslims to give argument in favour of their strong belief.

But Mr. Mujeebur Rehman's argument is that this gives the non-Muslim a right to preach his religion to convert them.

We do not agree with this even as a remote possibility.

All these verses relate to the principles of Tableegh or propagation of Islam and the manner and method to be used for such propagation. The principle is that when talking to a non-Muslim for the purpose of propagating Islam one should be gentle and polite and should not only demonstrate logically and rationally all good points in Islam but also let the non-Muslim place his view about the good points in his own religion before him. It is necessary that a view point of the non-Muslim about his own religion should be plainly put forward so as to enable Muslims to refute them and to demonstrate the superiority of Islam over the conceptual philosophy of the other religion. In fact the Quran does not only allow such free discourse among two persons but asks the Muslims to challenge the non-Muslim to bring forth the arguments in favour of his belief as is clear from the word 'مَا تُرِكْمَأْكِنْكُمْ' (bring your arguments), which is suggestive of the inability of the non-Muslims to give any such argument. (See Almaraghi Vol. I

فِهِ فِي عَرْفِ الْمُخَاطَبِ تَكْذِيبٌ

(This is in the general rule of language a form of address for falsification).

There is a conclusive presumption that the arguments of the Quran cannot be refuted. No argument favourable to unbelief is possible.

This negates the possibility of the conversion of the Muslim by being influenced by the discourse of the non-Muslim in favour of his religion. The verses only apply to the form of persuasion which is required for propagation of Islam before the non-Muslim. These verses cannot be turned for the benefit of the non-Muslims in support of their claim to propagate their religion.

As stated, there is nothing in the Holy Quran, the Sunnah of the Holy Prophet (P.B.H.) or the commentaries on them, recognising the right of a non-Muslim to propagate or preach his religion among Muslims.

These verses and commentaries also are not sufficient for holding in favour of the fundamental rights of non-Muslims to propagate and preach their religion among Muslims. Despite this it is for the Islamic State to allow the non-Muslims to preach their religion as has been done in Article 20 of the Constitution but this can be allowed if the non-Muslims preach as non-Muslims and not by passing off as Muslims. It is for the legislature to lay down other conditions also.

Maulana Maudoodi in his book 'Islami Riyasat' pages 582 to 602 has dealt with the rights of the Minorities at length and has also stated in favour of publishing materials in an Islamic State by non-Muslims to prove the superiority of their religion, but he added that propagation of one's religion before a Muslim individually is not permissible. He further added that no Muslim can be allowed to change his religion.

Mr. Mujeebur Rehman cited from the Declaration of Human Rights of United Nations passed in 1948. The Article relied upon

by him is as follows :—

“Art. XVIII. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

There is nothing in this charter to give to the citizen of a country the right to propagate or preach his religion.

Lastly reference may be made to two pamphlets issued by the Islamic Council, one is the ‘Declaration of Human Rights’ and the other is ‘A Model of an Islamic Constitution’. Generally the Human Rights described in the two Pamphlets on the basis of the Injunctions of the Quran and the Sunnah of the Holy Prophet (P.B.H.) include the human rights as approved by the United Nations. Some of the rights are in addition, for example right to justice, right to protection against abuse of power, right to Asylum, rights of the Minorities to be governed in their personal matters by their own personal laws, rights and obligations to participate in the conduct and management of public affairs, status and dignity of workers, right to social security, etc.

In the pamphlet entitled ‘Universal Islamic Declaration of Human Rights’ paragraphs XII and XIII deal with the right to freedom of belief, thought and speech and right to freedom of religion. They are reproduced below :—

“XII. (A) Every person has the right to express his thoughts and beliefs so long as he remains within the limits prescribed by the law. No one, however is entitled to disseminate falsehood or to circulate reports which may outrage public decency, or to indulge in slander, innuendo or to cast defamatory aspersions on other persons.

(b) Pursuit of knowledge and search after truth is not only a right but a duty of every Muslim.

(c) It is the right and duty of every Muslim to protest and strive (within the limits set out by the law) against oppression even if it involves challenging the highest authority in the State.

(d) There shall be no bar on the dissemination of information provided it does not endanger the security of the society or the state and is confined within the limits imposed by the law.

(e) No one shall hold in contempt or ridicule the religious beliefs of others or incite public hostility against them; respect for the religious feelings of others is obligatory on all Muslims.

XIII. Every person has the right to freedom of conscience and worship in accordance with his religious beliefs".

Similarly Articles 8 and 16 of the Pamphlet 'A Model of an Islamic Constitution' deal with the religious rights of the minorities and are as follows :—

"8 Every person has the right to his thoughts, opinions and beliefs. He also has the right to express them so long as he remains within the limits prescribed by law.

16 (a) There is no compulsion in religion.

(b) Non-Muslim minorities have the right to practise their religion.

(c) In matters of personal law the minorities shall be governed by their own laws and traditions, except if they themselves opt to be governed by the Shariah. In cases of conflict between parties, the Shariah shall apply."

It may be noticed that the right to propagate one's religion is not included in the Human Rights of the Minorities. This is in accordance with what has been stated above.

Article 20 of the Constitution confers the fundamental right upon all citizens of Pakistan to profess, practise and propagate one's religion but this right is subject to law, public order and morality. It reads :

Subject to law, public order and morality :—

- (a) every citizen shall have the right to profess, practise and propagate his religion; and
- (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

In the case of *Jabindar Kashore* PLD 1957, S.C page 9, the Supreme Court had an occasion to interpret similar language in Article 18 of the Constitution of 1956. It was held that the words 'subject to law' do not permit the Legislature to take away with another hand what has been given by the Constitution by one hand and this right may only be regulated but cannot be taken away. Mr. Justice Muhammad Munir, Chief Justice (Retd) made the following observations in this respect :—

"But the scope of regulation by law cannot be so curtailed when a law and order situation arises".

Article 20 is also subject to law and order, and the right of preaching is subject to it.

It has already been noticed from historical review of Mirza Ghulam Ahmad's claims and their evolutionary trend that the Muslims of the Indian Sub-Continent had feeling of un-easiness soon after the claim of Mirza Ghulam Ahmad to be a Mujaddid and mamoor un minallah (a person appointed by Allah). They

had shown an apprehension prophetically enough that this was likely to be the first step towards Prophethood. Mirza Sahib was quick in refuting this and in claiming that he was a firm believer in the finality of the prophethood of the Holy Prophet Muhammad (P.B.H.) and in his view any claim to prophethood was not less than kufr (unbelief).

This uneasiness, resentment and hostility among the Muslims increased when the claim of being the Promised Messiah and Mehdi was made in 1890. It would be clear from the books of Mirza Sahib and other Quadiani literature that Muslims crowded around the places of his stay in different cities whenever he visited them. The Ulema were also extremely agitated.

This agitation reached its peak by the distinct claim of Mirza Sahib to prophethood made in 1901.

After the establishment of Pakistan, there was such an agitation on this point that the Martial Law of 1953 had to be enforced to curb it. This, however did not succeed in quietening the Muslims' demand as voiced by the Ulema in their 22 points programme for incorporating in the Constitution the non-Muslim and minority status of the Quadianis.

The agitation continued despite the imposition of Martial Law till the representatives of the Muslim public in the Parliament and the National Assembly had to pass the Constitution (Second Amendment) Act 1974 after giving a full hearing to the Quadianis through Mirza Nasir Ahmad, Chief of the Quadiani Sect, and to add a definition to Article 260 of the Constitution of 1973 declaring the Quadianis of the two well-known groups as non-Muslims and placing them through an amendment in Article 106, in Juxtaposition with other minorities in Pakistan like Christians, Parsis and Hindus, etc.

As a result of the declaration which was the result of a unanimous demand of the Muslims it was not possible for the Quadianis to call themselves Muslims or to propagate Islam of

their concept as true Islam but they showed the least respect for the Constitutional Amendment and continued as before to call their faith as Islam. They continued to propagate their religion freely by publication of books, journals, etc. as well as among individual Muslims to create resentment which obviously was likely to create law and order situation and all this continued till the present Ordinance was passed and promulgated. In these circumstances the Ordinance appears to be covered by the exception in Article 20 about its being subject to maintenance of law and order.

For the above reasons the two petitions are without force and are dismissed.

Before finishing this judgment we would like to place on record our deep appreciation of the assistance given to us by Mr. Mujeebur Rahman, petitioner and Mr. Riazul Hasan Gilani, Advocate for the Federal Government. Mr. Gilani's preparation and presentation of the case was commendable.

CHIEF JUSTICE

JUDGE-II

JUDGE-III

JUDGE-IV

Islamabad dated the 28th Oct. 1984

**SUPREME COURT OF PAKISTAN
CONFIRMS THE JUDGEMENT OF
FEDERAL SHARIAT COURT**

IN THE SUPREME COURT OF
PAKISTAN
(Shariat Appellate Jurisdiction)

PRESENT

Mr. Justice Muhammad Afzal Zullah, Chairman
 Mr. Justice Dr. Nasim Hasan Shah
 Mr. Justice Shafiu Rahman
 Mr. Justice Pir Muhammad Karam Shah
 Mr. Justice Maulana Muhammad Taqi Usmani

SHARIAT APPEAL NO. 24 of 1984
 SHARIAT APPEAL NO. 25 of 1984

(On appeal from the judgements/orders of the Federal
 Shariat Court, Lahore, dated 12-8-1984 in Shariat
 Petitions Nos. 17/I/1984 & 2/L/1984; and 17/L/1984
 and 21/L/1984)

Capt. (Retd) Abdul Wajid & another
 (S.A.24/1984)
 Mujeeb-ur-Rahman and three others
 (S.A. 25/1984)

..... Appellants

Versus

Federal Government of Pakistan
 through the Attorney General
 of Pakistan

Respondent

For appellant No. 1 Mr. Manzoor Ellahi, A.O.R.
 (S.A. 24/1984)

Appellant No. 2 In person.

(S.A.24/1984)

For the appellants (S.A. 25/1984)	Mr. Mujeeb-ur-Rahman, In person Mr. Hameed Aslam Qureshi, A.O.R. and others in person.
For the respondent (In both cases)	Dr. Riazul Hasan Gilani, Deputy Attorney General. Ch. Akhtar Ali , A.O.R.
Dates of hearing in S.A. 24/1984	10-1-1988 - Rawalpindi 11-1-1988 - Rawalpindi
Dates of hearing in S.A. 25/1984	10-1-1988 - Rawalpindi

JUDGEMENT

MUHAMMAD AFZAL ZULLAH, CHAIRMAN:

Appeals Nos. 24 and 25 of 1984 jointly filed by two and four appellants respectively, are directed against a decision of the Federal Shariat Court, rendered under Article 203-D of the Constitution. They were preferred under Article 203-F, have now been withdrawn and dismissed accordingly.

The impugned judgement was passed on two petitions of the appellants separately presented, wherein a law: "Anti Islamic activities of the Quadiani group, Lahori Group and Ahmadis (Prohibition and Punishment) Ordinance 1984", was challenged and sought to be rendered in-effective on touch-stone of the "Injunctions of Islam"; in pursuance of Article 203-D. The court declined to grant the prayer, after giving detailed reasons (running into over 200 pages), as required by Clause (2) (a) of the said Article.

Appeal No. 24/1984 is by the 'Lahori Group' and No. 25/1984 by the "Quadiani Group" of the "Ahmadis", as they are described in Article 106 and Clause (3) of Article 260 of the Constitution. They were added originally by Second Amendment in 1974; which was enacted by a duly elected Parliament, in what have been considered as free and impartial elections, on the basis of adult franchise. This Court had also accepted it as competent to frame the Constitution after the split of the country into two parts. It passed the amendment not only with the necessary higher percentage of votes for this purpose but also unanimously in each House. There was no dissent. The sole member walk-out by one of the original movers was, as the official record/proceedings show, on the ground that the amendment did not go far enough.

The amendment defined the followers of Mirza Ghulam Ahmad, generally known 'the Ahmadis', as non-Muslims. It was enacted in a democratic and Parliamentary-cum-judicial method. The acknowledged leaders of both the groups of Ahmadis were afforded opportunity of hearing in very lengthy proceedings by a Special Committee of the Full House. The resolution referred to this committee (moved, amongst others, also by the sole member who later staged a walk-out), inter alia, contained that the Ahmadis were "indulging in subversive activities internally and externally"; and that, in the then recent Conference (1) of

(1) This refers to the conference of the Muslim Organisations of the world (مؤتمر النظمات الإسلامية في العالم) convened by the Muslim World League at Macca Mukaramma, Saudi Arabia, from 14th to 18th of Rabiaul Awwal, 1394 H (April, 1974), in which 140 delegations of Muslim countries and organisations from all over the world participated. I (Mohammad Bashir) too was there in the Conference alongwith the other Journalists of the World. The Conference unanimously adopted the following Resolution regarding Quadianism.

Quadianism or Ahmadiat: It is a subversive movement against Islam and the Muslim World, Which falsely and deceitfully claims to be an Islamic sect ; who under the guise of Islam and for the sake of mundane interests contrives and plans to damage the very

140 delegations from all over the world, held in Mecca-Al-Mukurrama, it was unanimously held that "Quadianism is subversive movement against Islam and Muslim World, which

foundations of Islam. Its eminent deviations from the basic Islamic principles are as follows :

1. Its founder claimed that he was a prophet.
2. They deliberately distort the meanings of the verses of the Holy Quran.
3. They declared that Jehad has been abolished.

Quadianism was originally fostered by the British imperialism. Hence, it has been flourishing under her flag. This movement has completely been disloyal to and dishonest in affairs of the Muslim Ummah. Rather, it has been loyal to Imperialism and Zionism. It has deep associations and cooperation with the anti-Islamic forces with the view to tempering with the basic Islamic beliefs and teachings especially through the following nefarious methods:

- A. Construction of mosques with the assistance of the anti-Islamic forces wherein the misleading Quadiani thoughts are imparted to the people.
- B. Opening of schools, institutions and orphanages wherein the people are taught and trained as to how they can be more anti-Islamic in their activities. They also publish the corrupted versions of the Holy Quran in different local and international languages.

In order to combat these dangers, the Conference recommends the following measures:

1. All the Muslim organisations in the world must keep a vigilant eye on all the activities of Quadianis in their respective countries; to confine them all strictly to their schools, institutions and orphanages only. Moreover, the Muslims of the world be shown the true picture of Quadianism and be briefed of their various tactics so that the Muslims of the world be saved from their designs.
2. They must be declared non-Muslims and ousted from the fold of Islam, and be barred to enter the Holy lands.
3. There must be no dealings with the Quadianis. They must be boycotted socially, economically and culturally. Nor they be married with or to. Nor they be allowed to be

falsely and deceitfully claims to be an Islamic sect" - (National Assembly Parliament Debates Volume - 4 - 1974), hence the amendment was sought. After lengthy hearing and voluminous proceedings (which are matter of record) the Special Committee unanimously resolved, as follows:

"(a) That the Constitution of Pakistan be amended as follows:

(i) that in Article 106 (3) a reference be inserted to persons of the Quadiani Group and the Lahori Group (who call themselves 'Ahmadis');

(ii) that a non-Muslim may be defined in a new clause in Article 260.

To give effect to the above recommendations a draft Bill unanimously agreed upon by the Special Committee is appended.

(b) That the following explanation be added to section 295-A of the Pakistan Penal Code:

"Explanation; - A Muslim who professes, practises or propagates against the concept of the finality of the Prophethood of Muhammad (peace be upon him) as set out in clause (3) of Article 260 of the Constitution shall be punishable under this section."

(The Gazette of Pakistan Extraordinary dated 14-11-1974 - pp. 1205 and 1206)

allowed to be buried in the Muslims' graveyards. And they be treated like other non-Muslims.

4. All the Muslim countries must impose restrictions on the activities of the claimant of prophethood, Mirza Ghulam Ahmad Quadiani's followers; must declare them a non-Muslim minority, must not entrust them with any post of responsibility in any Muslim country.

The draft Bill recommended by the Committee is the same as was finally passed by the Parliament. (For text see National Assembly Parliament Debates, Volume-5, 1974).

It would have been noticed that the said Special Committee had recommended an amendment in the Penal Code also. It cannot be denied that these measures were adopted to resolve a long standing controversy raging in the country for nearly three quarters of a Century over the position of Ahmadis - (appellants' description in ground No. 10 in "Addendum dated 15-1-1985" filed in Appeal No. 24/1984 is: "microscopic minority", as against Muslims who form the "vast majority" not only in Pakistan but as against Muslim World, it is even much less). There has been blood-shed, martial law, judicial inquiry and interventions, prosecutions and agitations over this controversy. All solutions had earlier been tried. This time the Constitutional and Parliamentary method was used. The Law impugned before the Federal Shariat Court, Which prima facie seems to be a sequel and result of what has been stated above, attempts to control and prevent some of the Anti-Islamic activities of the Ahmadis which had resulted in the grave consequences noticed above.

Coming to the appeals before us, as indicated already, the appellants challenged the impugned law before the Federal Shariat Court on the touch-stone of 'Islamic Injunctions'. It has the jurisdiction under Article 203-D of the Constitution to declare it as repugnant to them, as distinguished from the jurisdiction possessed by the other superior Courts to annul a law on ground of its repugnancy to a fundamental right, as guaranteed in the Constitution. The Federal Shariat Court having declined to accept the prayer;

5. The alterations effected by them in the Holy Quran must be made public, and the people be briefed of them and all these be prohibited for further publication.

6. All such groups as are deviators from Islam must be treated at par with the Quadianis.

that the impugned law was repugnant to the 'Injunctions of Islam, they filed appeals to (the Shariat Appellate Bench of) this Court. The said Shariat Bench of the Supreme Court has been constituted under Chapter 3-A of the constitution and has the exclusive jurisdiction to hear appeals, against decisions of Federal Shariat Court under Article 203-D. The Bench consists of three permanent judges of the Court and two Ulema Judges. The permanent Judges on this Bench are three senior Judges of the Supreme Court having been members of superior judiciary for nearly twenty years. The Ulema Judges are scholars of international fame, who have organised (and head) eminent Darul Ulums and possess a high degree of attainment in various branches of knowledge. They have also served on the Federal Shariat Court before appointment to the Shariat Appellate Bench.

The appeals in hand were fixed for 22-5-1985 but were adjourned on a request received from the appellants' side. (Appellant No. 1 in Appeal No. 24/1984 prayed for adjournment on the ground of his illness, for few months. Advocate-on-Record of appellants in Appeal No. 25/1984 had also supported the adjournment request). They again came up for hearing after two and a half years before a Full Bench. Cases like the present one, according to our practice, are not heard in a Bench of less than five Judges. The two Ulema Judges are a necessary part of this Bench.

In this background, to our surprise when it was expected that these appeals would be heard this time, again the same appellant sent application for adjournment for a year, this time on the ground that though he had recovered from illness, he had not yet recovered his full memory. He had not engaged a lawyer. He insisted on arguing his case, when adjourned. The intrinsic evidence in the application and some questioning of his co-appellant, who is an advocate, showed that it was a lame excuse. We declined long adjournment and ordered that the applicant/appellant might appear and argue on the next day.

When the second appeal (No. 25/1984) was taken up, the appellants therein sprung a still bigger surprise. They also were not willing to argue the case. Similar attempts were

made on the basis of two applications placed on record, more than two years ago. It was well known to the appellants that the requests in the applications were of such nature that orders could be sought in Chambers at least for the fixation of these applications. They related to the summoning of the tape records regarding proceedings before the Federal Shariat Court and the expungement of a part of the impugned judgement, before the hearing of the appeal.

Be that as it may, the first request for tape-records, as explained at the bar, was for resolving the controversy regarding the nature of arguments before the Federal Shariat Court, reference to which is made from page 9 to page 152 of the impugned judgement; and the same was sought to be expunged in the second application. At the end of this application, the Court was told to 'determine' this issue "before the appeal is taken up"; otherwise, the appellants "will have no interest left in appeal". Thus, a serious attempt was made to get the appeal adjourned for another long period.

After some discussion, we declined to summon the tape-records, at this stage, as it would entail unnecessary adjournment; and at the same time, we assured the appellants that if they argue the appeals and during their hearing we felt the need for summoning the tape-records we would do so on our own initiative.

Finding no further scope to press any further the first request at this stage, the second application was then pressed. It was also an extraordinary request, in the circumstances. We were being virtually told to "expunge" nearly two-third of the impugned judgement as unnecessary, irrelevant and 'outrageous' for the appellants' religious reasons - forgetting that even jurisdictional facts and aspects of the new dispensation under Article 203-D of the Constitution, essentially relate to the religion (دین) of Islam. They were required to establish that the law in question was repugnant to the 'Injunctions of Islam' - as a Deen. Not only this, the facts recorded at page 8 - paras 13 and 14 of the judgement (not sought to be expunged) showed that despite some formal statement, made presumably to change position if the verdict went against the appellants, they did argue with

"persistence" and "emphasis" that they are not non-Muslims. The learned Deputy Attorney General, who was present in Federal Shariat Court, refuted the appellants on this fact; when, they tried to show that the record was not correct. We also noticed that in their grounds of appeal, the appellants in Appeal No. 24/1984 in para 1 of the "the Addendum", have not denied the correctness of what is recorded in the opening part of page 9 of the impugned judgement. Its jurisdictional aspect, however, has been questioned.

After hearing on the question of expungement, we felt that the request of the appellants in appeal No. 25/1984 could not be granted, as a preliminary relief without hearing the appeal; where-after if need be, during the main hearing of the appeals the points and portions for expungement, might be noted for orders on this question in the final judgement. No law was cited to show that it would not be the proper procedure for us to follow in the appellate jurisdiction. In that eventuality it might also have been examined whether the scope of special jurisdiction conferred by Article 203-F vis-a-vis the validity and "reasons" for the impugned judgement, the expungement, setting aside, upholding of the objected part or any other order, was the lawful course to be adopted. As already noticed, the appellants having themselves taken a decision (not to be interested in appeals if their request was not allowed) did not evince any interest in this approach to the subject, yielding finality to the impugned judgement.

Before going on to the next application, the fourth in the two appeals, it is necessary to mention that we have during writing of this judgement, discovered from the appellants' own pleadings ad memoranda submitted in this Court and in the Federal Shariat Court that, they did argue the point : that they are not non Muslims. If the appellants would have argued the appeal, we might have considered all this in juxtaposition to the constitutional position and what they stated before us as also in their statements before the Federal Shariat Court. After that the legal question might also have been examined : that if the appellants did argue a point and invited the Court to give decision on it, which went against them could they in an appeal under Article 203-F, succeed in getting the decision on these arguments

expunged on the grounds stated in the application or that the Federal Shariat Court had no jurisdiction in the matter.

The last application of the appellants in appeal No. 25/1984 (there is no such application presented in court in Appeal No. 24/1984) sought the exclusion of the two Ulema Judges from this Bench on the ground of bias. They are stated to have expressed opinion in favour of the enactment of a law as is involved in the appeals before us. Written material, in this behalf, was also placed on record. After having perused the same, we felt that it was like the expression of an opinion in a tentative manner and that too without hearing the full arguments as often Judges do when hearing applications for stay or preliminary arguments for admission of regular cases, or for that matter, when granting leave to appeal even in this Court. It has never been treated per se as either creating any kind of bias, prejudice or bar. Moreover, the Ulema Judges we have noticed, felt more concerned and bound than any other, by The Quranic Verse No. 135, in Chapter IV, (Surah Al-Nisa). The Text and the translation follow:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَامِينَ بِالْقِسْطِ شُهَدًا لِلَّهِ وَلَا عَلَى أَنفُسِكُمْ أَوْ
الْوَالِدِينَ وَالْأَقْرَبِينَ. إِنْ يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَى بِهِمَا، فَلَا تَتَّبِعُوا
الْهَوَى أَنْ تَعْدِلُوا وَإِنْ تَلُوْوا أَوْ تَعْرُضُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا.

"O, ye who believe, be maintainers of justice, bearers of witness for Allah's sake though it may be against your own selves or your parents or near relations, be he rich or poor. Allah is most competent to deal with them both, therefore do not follow your low desires lest you deviate, and if you swerve or turn aside, then surely Allah is aware of what you do."

The Quran and Sunnah are full of Injunctions emphasising undiluted justice, with its much more pronounced importance in our polity, as compared to Western jurisprudence. It is one of main pillars of Islam - after Touhid

and Risalat - like Taqya in one sense. It is in this light that in a conceptual sense, totally different from Western ideas, Islam in a given situation, does not prohibit hearing of a case and decision even against one self. Quran does not treat it as an impossibility, though such an extreme case might arise only rarely.

The treatment of similar objection by Federal Shariat Court in Federation of Pakistan Vs. Hazoor Bukhsh and 2 others (PLD 1983 F.S.C. 255 at pages 281 and 302), is also unexceptionable reliance therein was placed on Miss Asma Jilani Vs. The Government of Punjab and another (PLD 1972 S.C. 139 at 178); Zulfiqar Ali Bhutto Vs. The State (PLD 1978 S.C. 125 at 132) and on Interpretation of Statutes by Maxwell (12th Ed.) at pages 50-51 and a case from English jurisdiction, cited as Re Mew (1862) 31 L.J.Bk.87.

Even if opinions relied upon by the appellants, be treated as firm in judicial sense which is not the case, the principle of Rujoo (رجوع) in Islam would come in. In view of what happened in Court, it is not necessary to dwell on this aspect. Both the learned Ulema Judges stated that they firmly believed that if after hearing the arguments, they felt the need for Rujoo 'they will do so'. It has now been discovered that both the learned Ulema Judges have done so on several important subjects: One, for example, the question of imposition of death sentence in a Tazir offence and the other relating to charge of interest by a Muslim in Dar-ul-Harb. They both follow Imam Abu Hanifa's view on this point. See: Hayat-i-Imam Abu Hanifa by Muhammad Abu Zuhra - Urdu Version by Malik Sons. It reads as follows:

و كان الإمام أبو حنيفة يقول: حرام على من لم يعرف دليلاً أن يفتى بكلامي. و كان إذا أفتى يقول: هذا رأي أبي حنيفة وهو أحسن ما قدرنا عليه. فمن جاء بأحسن منه فهو أولى بالصواب. و كان يقول: إياكم و آراء الرجال.

(الميزان لعبد الوهاب الشعراوي ج ١ صفحه ٦٣ طبعة مصر).

Not only this, we in addition to this procedure - to ensure confidence, also adopted the one laid down by this Court in an absolutely similar situation in Pakistan Vs. Abdul Wali Khan (1975 Pakistan Supreme Court Reports 1). When an objection was raised regarding the sitting of the two Judges on the Bench hearing that case, it was observed as follows at page 214 of the Report:

"As regards the objection taken to the constitution of the Bench, learned counsel were informed on the very first day that no party to a litigation can claim the right to be tried by a particular Judge or Judges of his choice. In the case of superior Courts, it is entirely a matter for the Judge or Judges concerned to decide as to whether they will or will not sit in that particular case. Mr. Wali Khan has been informed that both the learned Judges, against whom the objection has been raised, have now recorded minutes in writing which have been placed on the record of these proceedings to say that they do not feel embarrassed in sitting to hear this proceeding. The objection based purely on conjectures is, therefore, in our view, unwarranted. Judges concerned are fully conscious of their own responsibilities. There is nothing to show that they are in any way disqualified from sitting to hear this reference. The objection is, accordingly, over-ruled."

The relevant principles have been discussed in that case. No further discussion is necessary. The appellants refrained from referring to this case and insisted on citing Chairman, Federal Land Commission and another Vs. Sardar Ashiq Muhammad Khan Mazari and 37 others (1985 S.C.M.R. 317); which it seems, was not approved for reporting. However, when the opinion of two judges on the Bench at the end of the report, was brought to the notice of the objector, this case was not pressed any further. Attempt, nevertheless was made to distinguish Abdul Wali Khan's case. We did not agree on this point. The two Ulema Judges then were asked as to whether they would in any way feel embarrassed in sitting on the Bench; to which, both answered in the negative.

These proceedings were of such solemn character that we genuinely felt that now the hearing of appeal (No. 25/1984) would commence. But abruptly, without consulting his other co-appellants or informing the Advocate-on-Record, appellant No. 1 who was then standing in the bar, announced that they withdraw the appeal. We pointed out to him that he did not consult the others, to which he responded with indication that their's was also the same position. Then the other appellants present in Court and the A.O.R. stood up and withdrew the appeal. We ordered its dismissal accordingly.

To our further surprise, the second appellant in Appeal No. 24/1984 which stood adjourned to next day as stated earlier, also stood up and withdrew his appeal without any argument or giving any reason. It is emphasised that no such applications had been filed by the appellants in appeal No. 24/1984, as were filed in Appeal No. 25/1984. He was then asked about his co-appellant's attitude to which the reply was that he would be contacted for this purpose. The next day none appeared in that appeal. We waited for quite some time and perforce passed order for its adjournment to another date. Though, according to facts, if required a finding of abandonment, as in the case of B.Z. Kaikaus Vs. Federal Government of Pakistan and others (PLD 1982 S.C. 409) could be rendered, we refrained from doing so, in the interest of the absent party. After some time, Mr. Manzoor Ellahi Advocate-on-Record, filed his power of attorney and other documents with the application to withdraw appeal No. 24/1984 on behalf of appellant No. 1 also, which we dismissed accordingly as withdrawn.

Before parting, it needs be observed that, in the circumstances of the case, for the sake of propriety, we have not examined nor have tried otherwise to discover the underlying intention and motive for the conduct of the appellants. Amongst others, the questions which arise, in this context, are that if they were genuine, in this behalf, why did they seek decision of the first two applications particularly the one relating to the expungement of major part of impugned judgement, before the hearing of the appeal. This exercise would have involved examination of merits by the same Bench, the constitution whereof was objected to in the third

application. It means that till then they had no apprehension that justice would not be done on that vital issue. And most important of all, they, as noted earlier, had already decided not to press the appeal if second application was dis-allowed. if they had to withdraw the appeal due to this reason then why it was not done at that stage when we declined to accept that most extraordinary plea and the facade that some members of the Court were biased was raised, although the decision not to press the appeal had already been taken by them.

Thus, in view of the facts and circumstances noted above, both the Shariat Appeals Nos: 24 and 25 of 1984 stand dismissed as withdrawn and the impugned judgement of the Federal Shariat Court shall rule the field. There shall be no orders as to costs.

Sd. Muhammad Afzal Zullah
(Chairman)

Sd. Dr. Nasim Hasan Shah

Sd. Justice Shafiu Rahman

Sd. Pir Muhammad Karam Shah

Sd. Maulana Muhammad Taqi Usmani

RAWALPINDI
10-1-1988
11-1-1988

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